

E AND R AMENDMENTS TO LB 463

Introduced by Enrollment and Review Committee: McGill, 26,
Chairperson

1 1. Strike original sections 1, 14, 16, 21, 90, 137, 144,
2 145, 147, 148, 149, 216, 218, 223, 224, 227, 228, 229, 236, 237,
3 238, 239, 241, 255, 259, 260, 262, 465, 562, 563, 672, 804, 808,
4 809, 810, 811, 813, 814, 832, 885, 889, 974, 1155, 1168, 1182,
5 1288, 1289, 1314, and 1318 and insert the following new sections:

6 Section 1. Section 71-101, Revised Statutes Cumulative
7 Supplement, 2006, as amended by section 296, Legislative Bill 296,
8 One Hundredth Legislature, First Session, 2007, is amended to read:

9 ~~71-101 Sections 71-101 to 71-1,107.30, 71-1,133 to~~
10 ~~71-1,338, 71-1,343 to 71-1,361, and 71-1301 to 71-1354 and the~~
11 ~~Physical Therapy Practice Act Sections 1 to 139 of this act and~~
12 ~~the following practice acts shall be known and may be cited as the~~
13 ~~Uniform Licensing Law- Credentialing Act:~~

14 (1) The Advanced Practice Registered Nurse Practice Act;

15 (2) The Alcohol and Drug Counseling Practice Act;

16 (3) The Athletic Training Practice Act;

17 (4) The Audiology and Speech-Language Pathology Practice
18 Act;

19 (5) The Certified Nurse Midwifery Practice Act;

20 (6) The Certified Registered Nurse Anesthetist Practice
21 Act;

22 (7) The Chiropractic Practice Act;

23 (8) The Clinical Nurse Specialist Practice Act;

- 1 (9) The Cosmetology, Electrology, Esthetics, Nail
- 2 Technology, and Body Art Practice Act;
- 3 (10) The Dentistry Practice Act;
- 4 (11) The Emergency Medical Services Practice Act;
- 5 (12) The Environmental Health Specialists Practice Act;
- 6 (13) The Funeral Directing and Embalming Practice Act;
- 7 (14) The Hearing Aid Instrument Dispensers and Fitters
- 8 Practice Act;
- 9 (15) The Licensed Practical Nurse-Certified Practice Act;
- 10 (16) The Massage Therapy Practice Act;
- 11 (17) The Medical Nutrition Therapy Practice Act;
- 12 (18) The Medical Radiography Practice Act;
- 13 (19) The Medicine and Surgery Practice Act;
- 14 (20) The Mental Health Practice Act;
- 15 (21) The Nurse Practice Act;
- 16 (22) The Nurse Practitioner Practice Act;
- 17 (23) The Nursing Home Administrator Practice Act;
- 18 (24) The Occupational Therapy Practice Act;
- 19 (25) The Optometry Practice Act;
- 20 (26) The Pharmacy Practice Act;
- 21 (27) The Physical Therapy Practice Act;
- 22 (28) The Podiatry Practice Act;
- 23 (29) The Psychology Practice Act;
- 24 (30) The Respiratory Care Practice Act;
- 25 (31) The Veterinary Medicine and Surgery Practice Act;
- 26 and
- 27 (32) The Water Well Standards and Contractors' Practice

1 Act.

2 The Revisor of Statutes shall assign the Uniform
3 Credentialing Act, including the practice acts enumerated in
4 subdivisions (1) through (31) of this section, to consecutive
5 articles within Chapter 38.

6 For purposes of the Uniform Licensing Law, unless the
7 context otherwise requires:

8 (1) Board or professional board means one of the boards
9 appointed by the State Board of Health pursuant to sections 71-111
10 and 71-112;

11 (2) Licensed, when applied to any licensee in any of the
12 professions named in section 71-102, means a person licensed under
13 the Uniform Licensing Law;

14 (3) Profession or health profession means any of the
15 several groups named in section 71-102;

16 (4) Department means the Division of Public Health of the
17 Department of Health and Human Services;

18 (5) Whenever a particular gender is used, it is construed
19 to include both the masculine and the feminine, and the singular
20 number includes the plural when consistent with the intent of the
21 Uniform Licensing Law;

22 (6) License, licensing, or licensure means permission to
23 engage in a health profession which would otherwise be unlawful
24 in this state in the absence of such permission and which is
25 granted to individuals who meet prerequisite qualifications and
26 allows them to perform prescribed health professional tasks and use
27 a particular title;

1 ~~(7) Certificate, certify, or certification, with respect~~
2 ~~to professions, means a voluntary process by which a statutory,~~
3 ~~regulatory entity grants recognition to an individual who has met~~
4 ~~certain prerequisite qualifications specified by such regulatory~~
5 ~~entity and who may assume or use the word certified in the title or~~
6 ~~designation to perform prescribed health professional tasks. When~~
7 ~~appropriate, certificate means a document issued by the department~~
8 ~~which designates particular credentials for an individual;~~

9 ~~(8) Lapse means the termination of the right or privilege~~
10 ~~to represent oneself as a licensed, certified, or registered person~~
11 ~~and to practice the profession when a license, certificate, or~~
12 ~~registration is required to do so;~~

13 ~~(9) Credentialing means the totality of the process~~
14 ~~associated with obtaining state approval to provide health care~~
15 ~~services or human services or changing aspects of a current~~
16 ~~approval. Credentialing grants permission to use a protected~~
17 ~~title that signifies that a person is qualified to provide the~~
18 ~~services of a certain profession. Credential includes a license,~~
19 ~~certificate, or registration;~~

20 ~~(10) Dependence means a compulsive or chronic need for~~
21 ~~or an active addiction to alcohol or any controlled substance or~~
22 ~~narcotic drug; and~~

23 ~~(11) Director means the Director of Public Health of the~~
24 ~~Division of Public Health.~~

25 Sec. 14. Department means the Division of Public Health
26 of the Department of Health and Human Services.

27 Sec. 16. Director means the Director of Public Health of

1 the Division of Public Health or his or her designee.

2 Sec. 21. Section 71-102, Revised Statutes Cumulative
3 Supplement, 2006, as amended by section 297, Legislative Bill 296,
4 One Hundredth Legislature, First Session, 2007, is amended to read:

5 ~~71-102~~ (1) No ~~person~~ individual shall engage in the
6 ~~practice of medicine and surgery~~, athletic training, respiratory
7 ~~care~~, osteopathic medicine, chiropractic, dentistry, dental
8 ~~hygiene~~, pharmacy, podiatry, optometry, massage therapy, physical
9 ~~therapy~~, audiology, speech-language pathology, embalming, funeral
10 ~~directing~~, psychology, veterinary medicine and surgery, medical
11 ~~nutrition therapy~~, acupuncture, mental health practice, or alcohol
12 ~~and drug counseling~~ unless such person has obtained a license
13 ~~from the department for that purpose.~~ following practices unless
14 such individual has obtained a credential under the Uniform
15 Credentialing Act:

- 16 (a) Acupuncture;
- 17 (b) Advanced practice nursing;
- 18 (c) Alcohol and drug counseling;
- 19 (d) Asbestos abatement, inspection, project design, and
20 training;
- 21 (e) Athletic training;
- 22 (f) Audiology;
- 23 (g) Speech-language pathology;
- 24 (h) Body art;
- 25 (i) Chiropractic;
- 26 (j) Cosmetology;
- 27 (k) Dentistry;

- 1 (l) Dental hygiene;
- 2 (m) Electrology;
- 3 (n) Emergency medical services;
- 4 (o) Esthetics;
- 5 (p) Funeral directing and embalming;
- 6 (q) Hearing aid instrument dispensing and fitting;
- 7 (r) Lead-based paint abatement, inspection, project
- 8 design, and training;
- 9 (s) Licensed practical nurse-certified;
- 10 (t) Massage therapy;
- 11 (u) Medical nutrition therapy;
- 12 (v) Medical radiography;
- 13 (w) Medicine and surgery;
- 14 (x) Mental health practice;
- 15 (y) Nail technology;
- 16 (z) Nursing;
- 17 (aa) Nursing home administration;
- 18 (bb) Occupational therapy;
- 19 (cc) Optometry;
- 20 (dd) Osteopathy;
- 21 (ee) Pharmacy;
- 22 (ff) Physical therapy;
- 23 (gg) Podiatry;
- 24 (hh) Psychology;
- 25 (ii) Radon detection, measurement, and mitigation;
- 26 (jj) Respiratory care;
- 27 (kk) Veterinary medicine and surgery;

1 (ll) Public water system operation; and
2 (mm) Constructing or decommissioning water wells and
3 installing water well pumps and pumping equipment.

4 (2) No individual shall hold himself or herself out
5 as any of the following until such individual has obtained a
6 credential under the Uniform Credentialing Act for that purpose:

7 (a) Registered environmental health specialist;

8 (b) Certified marriage and family therapist;

9 (c) Certified professional counselor; or

10 (d) Social worker.

11 (3) No business shall operate for the provision of any
12 of the following services unless such business has obtained a
13 credential under the Uniform Credentialing Act:

14 (a) Body art;

15 (b) Cosmetology;

16 (c) Emergency medical services;

17 (d) Esthetics;

18 (e) Funeral directing and embalming;

19 (f) Massage therapy; or

20 (g) Nail technology.

21 ~~(2) No person shall hold himself or herself out as a~~
22 ~~certified social worker or certified master social worker unless~~
23 ~~such person has obtained a certificate from the department for that~~
24 ~~purpose.~~

25 ~~(3) No person shall hold himself or herself out as a~~
26 ~~certified professional counselor unless such person has obtained a~~
27 ~~certificate from the department for such purpose.~~

1 ~~(4) No person shall hold himself or herself out as a~~
2 ~~certified marriage and family therapist unless such person has~~
3 ~~obtained a certificate from the department for such purpose.~~

4 Sec. 90. Section 71-161.03, Reissue Revised Statutes of
5 Nebraska, as amended by section 311, Legislative Bill 296, One
6 Hundredth Legislature, First Session, 2007, is amended to read:

7 ~~71-161.03~~ (1) Any petition filed with the director
8 pursuant to section ~~71-150~~ 86 of this act may, at any time
9 prior to the entry of any order by the director, be disposed of
10 by stipulation, agreed settlement, consent order, or similar method
11 as agreed to between the parties. A proposed settlement shall
12 be submitted and considered in camera and shall not be a public
13 record unless accepted by the director. The director may review the
14 input provided to the Attorney General by the board pursuant to
15 subsection (2) of this section. If the settlement is acceptable to
16 the director, he or she shall make it the sole basis of any order
17 he or she enters in the matter, and it may be modified or added to
18 by the director only upon the mutual consent of both of the parties
19 thereto. If the settlement is not acceptable to the director, it
20 shall not be admissible in any subsequent hearing and it shall not
21 be considered in any manner as an admission.

22 (2) The Attorney General shall not enter into any
23 agreed settlement or dismiss any petition without first having
24 given notice of the proposed action and an opportunity to the
25 appropriate ~~professional~~ board to provide input into the terms of
26 the settlement or on dismissal. The board shall have fifteen days
27 from the date of the Attorney General's request to respond, but

1 the recommendation of the board, if any, shall not be binding
2 on the Attorney General. Meetings of the board for such purpose
3 shall be in closed session, and any recommendation by the board
4 to the Attorney General shall not be a public record until the
5 pending action is complete, except that if the director reviews the
6 input provided to the Attorney General by the board as provided
7 in subsection (1) of this section, the ~~licensee, certificate~~
8 credential holder, ~~or registrant~~ shall also be provided a copy of
9 the input and opportunity to respond in such manner as the director
10 determines.

11 Sec. 137. Section 71-1,339, Revised Statutes Cumulative
12 Supplement, 2006, as amended by section 362, Legislative Bill 296,
13 One Hundredth Legislature, First Session, 2007, is amended to read:

14 ~~71-1,339~~ The clerk of any county or district court in
15 this state shall report to the ~~Division of Public Health of the~~
16 ~~Department of Health and Human Services~~ department the conviction
17 of any person ~~licensed, certified, or registered~~ credentialed
18 by the department under the ~~Advanced Practice Registered Nurse~~
19 ~~Licensure Act, the Certified Registered Nurse Anesthetist Act,~~
20 ~~the Clinical Nurse Specialist Practice Act, the Emergency Medical~~
21 ~~Services Act, the Licensed Practical Nurse-Certified Act, the~~
22 ~~Nebraska Certified Nurse Midwifery Practice Act, the Nebraska~~
23 ~~Cosmetology Act, the Nurse Practice Act, the Nurse Practitioner~~
24 ~~Act, the Occupational Therapy Practice Act, the Uniform Controlled~~
25 ~~Substances Act, the Uniform Licensing Law, the Wholesale Drug~~
26 ~~Distributor Licensing Act, or sections 71-3702 to 71-3715, 71-4701~~
27 ~~to 71-4719, or 71-6053 to 71-6068~~ Uniform Credentialing Act of any

1 felony or of any misdemeanor involving the use, sale, distribution,
2 administration, or dispensing of a controlled substance, alcohol
3 or chemical impairment, or substance abuse and shall also report
4 a judgment against any such ~~licensee, certificate holder, or~~
5 ~~registrant~~ credential holder arising out of a claim of professional
6 liability. The Attorney General or city or county prosecutor
7 prosecuting any such criminal action and plaintiff in any such
8 civil action shall provide the court with information concerning
9 the ~~licensure, certification, or registration~~ credential of the
10 defendant or party. Notice to the department shall be filed within
11 thirty days after the date of conviction or judgment in a manner
12 agreed to by the ~~Director of Public Health of the division~~ director
13 and the State Court Administrator.

14 Sec. 144. Section 71-17,134, Revised Statutes Cumulative
15 Supplement, 2006, as amended by section 36, Legislative Bill 185,
16 One Hundredth Legislature, First Session, 2007, is amended to read:

17 71-17,134 ~~(1)~~ The Board of Advanced Practice Registered
18 Nurses is established. The purpose of the board is to ~~(a)~~ provide
19 for the health, safety, and welfare of the citizens, ~~(b)~~ ensure
20 that licensees serving the public meet minimum standards of
21 proficiency and competency, and ~~(c)~~ control the profession in
22 the interest of consumer protection.

23 ~~(2)(a)~~ (1) Until July 1, 2007, the board shall consist
24 of ~~(i)~~ (a) five advanced practice registered nurses representing
25 different advanced practice registered nurse specialties for which
26 a license has been issued, ~~(ii)~~ (b) five physicians licensed under
27 the Uniform Licensing Law to practice medicine in Nebraska, at

1 least three of whom shall have a current collaborating relationship
2 with an advanced practice registered nurse, ~~(iii)~~ (c) three
3 consumer members, and ~~(iv)~~ (d) one licensed pharmacist.

4 ~~(b)~~ (2) On and after July 1, 2007, the board shall
5 consist of:

6 ~~(i)~~ (a) One nurse practitioner holding a license under
7 the Nurse Practitioner Practice Act, one certified nurse midwife
8 holding a license under the ~~Nebraska~~ Certified Nurse Midwifery
9 Practice Act, one certified registered nurse anesthetist holding a
10 license under the Certified Registered Nurse Anesthetist Practice
11 Act, and one clinical nurse specialist holding a license under
12 the Clinical Nurse Specialist Practice Act, except that the
13 initial clinical nurse specialist appointee may be a clinical
14 nurse specialist practicing pursuant to the Nurse Practice Act as
15 such act existed prior to July 1, 2007. Of the initial appointments
16 under this subdivision, one shall be for a two-year term, one shall
17 be for a three-year term, one shall be for a four-year term, and
18 one shall be for a five-year term. All subsequent appointments
19 under this subdivision shall be for five-year terms;

20 ~~(ii)~~ (b) Three physicians, one of whom shall have a
21 professional relationship with a nurse practitioner, one of whom
22 shall have a professional relationship with a certified nurse
23 midwife, and one of whom shall have a professional relationship
24 with a certified registered nurse anesthetist. Of the initial
25 appointments under this subdivision, one shall be for a three-year
26 term, one shall be for a four-year term, and one shall be for a
27 five-year term. All subsequent appointments under this subdivision

1 shall be for five-year terms; and

2 ~~(iii) (c)~~ Two public members. Of the initial appointments
3 under this subdivision, one shall be for a three-year term, and
4 one shall be for a four-year term. All subsequent appointments
5 under this subdivision shall be for five-year terms. ~~Public members~~
6 ~~of the board shall have the same qualifications as provided in~~
7 ~~subsection (1) of section 71-113.~~

8 ~~(e) (3)~~ Members of the board serving immediately before
9 July 1, 2007, shall serve until members are appointed and qualified
10 under subdivision (2)(b) subsection (2) of this section.

11 ~~(3)~~ The members of the board shall be appointed by the
12 State Board of Health. Members shall be appointed for terms of
13 five years except as otherwise provided in subdivisions (2)(b)
14 and (e) of this section. At the expiration of the term of any
15 member, the State Board of Health may consult with appropriate
16 professional organizations regarding candidates for appointment to
17 the Board of Advanced Practice Registered Nurses. Upon expiration
18 of terms, appointments or reappointments shall be made on or
19 before December 1 of each year. Vacancies on the Board of Advanced
20 Practice Registered Nurses shall be filled for the unexpired term
21 by appointments made by the State Board of Health. No member shall
22 serve more than two consecutive terms on the Board of Advanced
23 Practice Registered Nurses.

24 ~~(4)~~ The State Board of Health has power to remove from
25 office any member of the Board of Advanced Practice Registered
26 Nurses, after a public hearing pursuant to the Administrative
27 Procedure Act, for physical or mental incapacity to carry out

1 the duties of a board member, for continued neglect of duty, for
2 incompetence, for acting beyond the individual member's scope of
3 authority, for malfeasance in office, for any cause for which a
4 license or certificate in the member's profession involved may be
5 suspended or revoked, for a lack of licensure or certification in
6 the member's profession, or for other sufficient cause.

7 (5) Each member of the Board of Advanced Practice
8 Registered Nurses shall receive a per diem of thirty dollars
9 per day for each day the member is actually engaged in the
10 discharge of his or her official duties and shall be reimbursed for
11 travel, lodging, and other necessary expenses incurred as a member
12 of the board pursuant to sections 81-1174 to 81-1177.

13 (6) The department shall adopt and promulgate rules and
14 regulations which define conflicts of interest for members of the
15 Board of Advanced Practice Registered Nurses and which establish
16 procedures in case such a conflict arises.

17 Sec. 145. Section 71-17,135, Revised Statutes Cumulative
18 Supplement, 2006, as amended by section 37, Legislative Bill 185,
19 One Hundredth Legislature, First Session, 2007, is amended to read:

20 71-17,135 The Board of Advanced Practice Registered
21 Nurses board shall:

22 (1) Establish standards for integrated practice
23 agreements between collaborating physicians and certified nurse
24 midwives, and nurse practitioners;

25 (2) Monitor the scope of practice by certified nurse
26 midwives, certified registered nurse anesthetists, clinical nurse
27 specialists, and nurse practitioners;

1 ~~(3)~~ Administer and enforce the Advanced Practice
2 Registered Nurse Licensure Act in order to ~~(a)~~ provide for the
3 health, safety, and welfare of the citizens, ~~(b)~~ ensure that
4 advanced practice registered nurses serving the public meet minimum
5 standards of proficiency and competency, ~~(c)~~ control the profession
6 in the interest of consumer protection, ~~(d)~~ regulate the scope of
7 advanced practice nursing, ~~(e)~~ recommend disciplinary actions as
8 provided in this section, and ~~(f)~~ enforce licensure requirements;

9 ~~(4)~~ (3) Recommend disciplinary action relating to
10 licenses of advanced practice registered nurses, certified nurse
11 midwives, certified registered nurse anesthetists, clinical nurse
12 specialists, and nurse practitioners;

13 ~~(5)~~ (4) Engage in other activities not inconsistent with
14 the Advanced Practice Registered Nurse Licensure Practice Act, the
15 Certified Nurse Midwifery Practice Act, the Certified Registered
16 Nurse Anesthetist Practice Act, the Clinical Nurse Specialist
17 Practice Act, ~~the Nebraska Certified Nurse Midwifery Practice Act,~~
18 and the Nurse Practitioner Practice Act; and

19 ~~(6)~~ ~~Approve~~ (5) Adopt rules and regulations to implement
20 the Advanced Practice Registered Nurse Licensure Practice Act, the
21 Certified Nurse Midwifery Practice Act, the Certified Registered
22 Nurse Anesthetist Practice Act, the Clinical Nurse Specialist
23 Practice Act, ~~the Nebraska Certified Nurse Midwifery Practice~~
24 ~~Act,~~ and the Nurse Practitioner Practice Act, for adoption and
25 promulgation by the department as provided in section 26 of this
26 act. Such rules and regulations shall also include: (a) Approved
27 certification organizations and approved certification programs;

1 ~~and (b) continuing competency requirements. The requirements may~~
2 ~~include, but not be limited to, continuing education, continuing~~
3 ~~practice, national recertification, a reentry program, peer review~~
4 ~~including patient outcomes, examination, or other continuing~~
5 ~~competency activities listed in section 71-161.09; (c) grounds for~~
6 ~~discipline; (d) issuance, renewal, and reinstatement of licenses;~~
7 ~~(e) fees; (f) professional liability insurance; and (g) conflict~~
8 ~~of interest for board members.~~

9 Sec. 147. Section 71-17,137, Revised Statutes Cumulative
10 Supplement, 2006, as amended by section 38, Legislative Bill 185,
11 One Hundredth Legislature, First Session, 2007, is amended to read:

12 ~~71-17,137~~ (1) An applicant for initial licensure as an
13 advanced practice registered nurse shall:

14 (a) Be licensed as a registered nurse under the Nurse
15 Practice Act or have authority based on the Nurse Licensure Compact
16 to practice as a registered nurse in Nebraska;

17 (b) Be a graduate of or have completed a graduate-level
18 advanced practice registered nurse program in a clinical specialty
19 area of certified registered nurse anesthetist, clinical nurse
20 specialist, certified nurse midwife, or nurse practitioner, which
21 program is accredited by a national accrediting body;

22 (c) Be certified as a certified registered nurse
23 anesthetist, a clinical nurse specialist, a certified nurse
24 midwife, or a nurse practitioner, by an approved certifying body
25 or an alternative method of competency assessment approved by
26 the board, pursuant to the Certified Nurse Midwifery Practice
27 Act, the Certified Registered Nurse Anesthetist Practice Act, the

1 Clinical Nurse Specialist Practice Act, the ~~Nebraska Certified~~
2 ~~Nurse Midwifery Practice Act,~~ or the Nurse Practitioner Practice
3 Act, as appropriate to the applicant's educational preparation;

4 ~~(d) Submit a completed written application to the~~
5 ~~department which includes the applicant's social security number~~
6 ~~and appropriate fees established and collected as provided in~~
7 ~~section 71-162;~~

8 ~~(e) (d) Provide evidence as required by rules and~~
9 ~~regulations; and approved by the board and adopted and promulgated~~
10 ~~by the department; and~~

11 ~~(f) (e) Have committed no acts or omissions which are~~
12 ~~grounds for disciplinary action in another jurisdiction or, if such~~
13 ~~acts have been committed and would be grounds for discipline under~~
14 ~~the Nurse Practice Act, the board has found after investigation~~
15 ~~that sufficient restitution has been made.~~

16 (2) The department may issue a license by endorsement
17 under this section to an applicant who holds a license from
18 another jurisdiction if the licensure requirements of such
19 other jurisdiction meet or exceed the requirements for licensure
20 as an advanced practice registered nurse under the Advanced
21 Practice Registered Nurse Licensure Practice Act. An applicant
22 under this subsection shall submit a completed application to
23 the department which includes the applicant's social security
24 number, fees established and collected as provided in section
25 71-162, and other evidence documentation as required by rules and
26 regulations, approved by the board and adopted and promulgated by
27 the department.

1 (3) A person licensed as an advanced practice registered
2 nurse or certified as a certified registered nurse anesthetist or
3 a certified nurse midwife in this state on July 1, 2007, shall
4 be issued a license by the department as an advanced practice
5 registered nurse on such date.

6 ~~(4) A person licensed as an advanced practice registered~~
7 ~~nurse in this state may use the title advanced practice registered~~
8 ~~nurse and the abbreviation APRN.~~

9 Sec. 148. Section 71-17,138, Revised Statutes Cumulative
10 Supplement, 2006, as amended by section 39, Legislative Bill 185,
11 One Hundredth Legislature, First Session, 2007, is amended to read:

12 ~~71-17,138~~ ~~(1)~~ The license of each person licensed under
13 the Advanced Practice Registered Nurse ~~Licensure~~ Practice Act shall
14 be renewed at the same time and in the same manner as renewal
15 of a license for a registered nurse and shall require that the
16 applicant have ~~(a)~~ (1) a license as a registered nurse issued
17 by the state or have the authority based on the Nurse Licensure
18 Compact to practice as a registered nurse in Nebraska, ~~(b)~~ (2)
19 documentation of continuing competency, either by reference, peer
20 review, examination, or one or more of the continuing competency
21 activities listed in section ~~71-161.09~~, as 45 of this act and
22 established by the board in rules and regulations, ~~approved by the~~
23 ~~board and adopted and promulgated by the department,~~ and ~~(c)~~ (3)
24 met any specific requirements for renewal under the Certified Nurse
25 Midwifery Practice Act, the Certified Registered Nurse Anesthetist
26 Practice Act, the Clinical Nurse Specialist Practice Act, ~~the~~
27 ~~Nebraska Certified Nurse Midwifery Practice Act,~~ or the Nurse

1 Practitioner Practice Act, as applicable.

2 ~~(2) The department shall establish and collect fees for~~
3 ~~renewal as provided in section 71-162.~~

4 Sec. 149. Section 71-17,140, Revised Statutes Cumulative
5 Supplement, 2006, as amended by section 41, Legislative Bill 185,
6 One Hundredth Legislature, First Session, 2007, is amended to read:

7 ~~71-17,140~~ (1) An advanced practice registered nurse's
8 license ~~lapses~~ expires if he or she does not renew his or her
9 license to practice as a registered nurse or is not authorized
10 to practice as a registered nurse in this state under the Nurse
11 Licensure Compact.

12 ~~(2) When an advanced practice registered nurse's license~~
13 ~~lapses, the right of the person whose license has lapsed to~~
14 ~~represent himself or herself as an advanced practice registered~~
15 ~~nurse and to practice the activities for which a license is~~
16 ~~required terminates. To restore the license to active status, the~~
17 ~~person shall meet the requirements for renewal which are in effect~~
18 ~~at the time that he or she wishes to restore the license and shall~~
19 ~~pay the renewal fee and the late fee established and collected as~~
20 ~~provided in section 71-162.~~

21 Sec. 216. Section 71-1749, Revised Statutes Cumulative
22 Supplement, 2006, as amended by section 21, Legislative Bill 185,
23 One Hundredth Legislature, First Session, 2007, is amended to read:

24 ~~71-1749~~ Approved certified nurse midwifery education
25 program ~~shall mean~~ means a certified nurse midwifery education
26 program approved by the board. The board may require such program
27 to be accredited by the American College of Nurse-Midwives.

1 Sec. 218. Section 71-1748, Reissue Revised Statutes of
2 Nebraska, as amended by section 20, Legislative Bill 185, One
3 Hundredth Legislature, First Session, 2007, is amended to read:

4 ~~71-1748~~ Certified nurse midwife ~~shall mean~~ means a person
5 certified by a board-approved certifying body and licensed under
6 the Advanced Practice Registered Nurse ~~Licensure~~ Practice Act
7 to practice certified nurse midwifery in the State of Nebraska.
8 Nothing in the ~~Nebraska~~ Certified Nurse Midwifery Practice Act is
9 intended to restrict the practice of registered nurses.

10 Sec. 223. Section 71-1752, Reissue Revised Statutes of
11 Nebraska, as amended by section 22, Legislative Bill 185, One
12 Hundredth Legislature, First Session, 2007, is amended to read:

13 ~~71-1752~~ A certified nurse midwife may, under the
14 provisions of a practice agreement, (1) attend cases of normal
15 childbirth, (2) provide prenatal, intrapartum, and postpartum care,
16 (3) provide normal obstetrical and gynecological services for
17 women, and (4) provide care for the newborn immediately following
18 birth. The conditions under which a certified nurse midwife is
19 required to refer cases to a collaborating licensed practitioner
20 shall be specified in the practice agreement.

21 Sec. 224. Section 71-1765, Reissue Revised Statutes of
22 Nebraska, as amended by section 27, Legislative Bill 185, One
23 Hundredth Legislature, First Session, 2007, is amended to read:

24 ~~71-1765~~ The ~~Nebraska~~ Certified Nurse Midwifery Practice
25 Act shall not prohibit the performance of the functions of a
26 certified nurse midwife by an unlicensed person if performed:

27 (1) In an emergency situation;

1 (2) By a legally qualified person from another state
2 employed by the United States Government and performing official
3 duties in this state; or

4 (3) By a person enrolled in an approved program for the
5 preparation of certified nurse midwives as part of such approved
6 program.

7 Sec. 227. Section 71-1755, Revised Statutes Cumulative
8 Supplement, 2006, as amended by section 23, Legislative Bill 185,
9 One Hundredth Legislature, First Session, 2007, is amended to read:

10 ~~71-1755~~ (1) An applicant for licensure under the Advanced
11 Practice Registered Nurse ~~Licensure~~ Practice Act to practice as a
12 certified nurse midwife shall submit ~~to the board~~ such evidence as
13 the board requires showing that the applicant is currently licensed
14 as a registered nurse by the state or has the authority based on
15 the Nurse Licensure Compact to practice as a registered nurse in
16 Nebraska, has successfully completed an approved certified nurse
17 midwifery education program, and is certified as a nurse midwife by
18 a board-approved certifying body.

19 (2) The department may, with the approval of the board,
20 grant temporary licensure as a certified nurse midwife for up
21 to one hundred twenty days upon application (a) to graduates
22 of an approved nurse midwifery program pending results of the
23 first certifying examination following graduation and (b) to nurse
24 midwives currently licensed in another state pending completion of
25 the application for a Nebraska license. A temporary license issued
26 pursuant to this section may be extended for up to one year with
27 the approval of the board.

1 (3) An individual holding a temporary certificate or
2 permit as a nurse midwife on ~~the operative date of this section~~
3 July 1, 2007, shall be deemed to be holding a temporary license
4 under this section on such date. The holder of such temporary
5 certificate or permit may continue to practice under such
6 certificate or permit as a temporary license until it would have
7 expired under its terms.

8 (4) If more than five years have elapsed since the
9 completion of the nurse midwifery program or since the applicant
10 has practiced as a nurse midwife, the applicant shall meet the
11 requirements in subsection (1) of this section and provide evidence
12 of continuing competency, as may be determined by the board, either
13 by means of a reentry program, references, supervised practice,
14 examination, or one or more of the continuing competency activities
15 listed in section ~~71-161.09-~~ 45 of this act.

16 Sec. 228. Section 71-1757, Revised Statutes Cumulative
17 Supplement, 2006, as amended by section 25, Legislative Bill 185,
18 One Hundredth Legislature, First Session, 2007, is amended to read:

19 ~~71-1757~~ To renew a license as a certified nurse
20 midwife, the applicant shall have a current certification by a
21 board-approved certifying body to practice nurse midwifery.

22 Sec. 229. Section 71-1756, Reissue Revised Statutes of
23 Nebraska, as amended by section 24, Legislative Bill 185, One
24 Hundredth Legislature, First Session, 2007, is amended to read:

25 ~~71-1756~~ Any person who holds a license to practice nurse
26 midwifery in this state shall have the right to use the title
27 certified nurse midwife and the abbreviation CNM. No other person

1 shall use such title or abbreviation to indicate that he or she
2 is licensed under the Advanced Practice Registered Nurse ~~Licensure~~
3 Practice Act to practice certified nurse midwifery.

4 Sec. 236. Section 71-1729, Revised Statutes Cumulative
5 Supplement, 2006, as amended by section 14, Legislative Bill 185,
6 One Hundredth Legislature, First Session, 2007, is amended to read:

7 ~~71-1729 For purposes of the Certified Registered Nurse~~
8 ~~Anesthetist Act, unless the context otherwise requires:~~

9 ~~(1) Board means the Board of Advanced Practice Registered~~
10 ~~Nurses;~~

11 ~~(2) Certified registered nurse anesthetist means a~~
12 ~~licensed registered nurse certified by a board-approved certifying~~
13 ~~body and licensed under the Advanced Practice Registered Nurse~~
14 ~~Licensure Act to practice as a certified registered nurse~~
15 ~~anesthetist in the State of Nebraska;~~

16 ~~(3) Department means the Department of Health and Human~~
17 ~~Services Regulation and Licensure;~~

18 ~~(4) Licensed practitioner means any physician or~~
19 ~~osteopathic physician licensed to prescribe, diagnose, and treat as~~
20 ~~prescribed in sections 71-1,102 and 71-1,137; and~~

21 ~~(5) (1) Practice of anesthesia means (a) the performance~~
22 ~~of or the assistance in any act involving the determination,~~
23 ~~preparation, administration, or monitoring of any drug used to~~
24 ~~render an individual insensible to pain for procedures requiring~~
25 ~~the presence of persons educated in the administration of~~
26 ~~anesthetics or (b) the performance of any act commonly the~~
27 ~~responsibility of educated anesthesia personnel. Practice of~~

1 anesthesia includes the use of those techniques which are deemed
2 necessary for adequacy in performance of anesthesia administration.

3 (2) Nothing in the Certified Registered Nurse Anesthetist
4 Practice Act prohibits (a) routine administration of a drug by a
5 duly licensed registered nurse, licensed practical nurse, or other
6 duly authorized person for the alleviation of pain or ~~prohibits~~ (b)
7 the practice of anesthesia by students enrolled in an accredited
8 school of nurse anesthesia when the services performed are a part
9 of the course of study and are under the supervision of a licensed
10 practitioner or certified registered nurse anesthetist.

11 Sec. 237. Section 71-1730, Revised Statutes Cumulative
12 Supplement, 2006, as amended by section 15, Legislative Bill 185,
13 One Hundredth Legislature, First Session, 2007, is amended to read:

14 ~~71-1730~~ (1) An applicant for a license under the Advanced
15 Practice Registered Nurse Licensure Practice Act to practice as a
16 certified registered nurse anesthetist shall:

17 (a) Hold a license as a registered nurse in the State of
18 Nebraska or have the authority based on the Nurse Licensure Compact
19 to practice as a registered nurse in Nebraska;

20 (b) Submit evidence of successful completion of a course
21 of study in anesthesia in a school of nurse anesthesia accredited
22 or approved by or under the auspices of the department or the
23 Council on Accreditation of Nurse Anesthesia and Educational
24 Programs; and

25 (c) Submit evidence of current certification by the
26 Council on Certification of Nurse Anesthetists.

27 (2) If more than five years have elapsed since the

1 applicant completed the nurse anesthetist program or since the
2 applicant has practiced as a nurse anesthetist, he or she shall
3 meet the requirements of subsection (1) of this section and shall
4 provide evidence of continuing competency as determined by the
5 board, including, but not limited to, a reentry program, supervised
6 practice, examination, or one or more of the continuing competency
7 activities listed in section ~~71-161.09-~~ 45 of this act.

8 ~~(3) A person licensed as a certified registered nurse~~
9 ~~anesthetist has the right to use the title certified registered~~
10 ~~nurse anesthetist and the abbreviation C.R.N.A.~~

11 Sec. 238. Section 71-1731, Revised Statutes Cumulative
12 Supplement, 2006, as amended by section 16, Legislative Bill 185,
13 One Hundredth Legislature, First Session, 2007, is amended to read:

14 ~~71-1731~~ The department may, with the approval of the
15 board, grant a temporary license in the practice of anesthesia for
16 up to one hundred twenty days upon application (1) to graduates
17 of an accredited school of nurse anesthesia pending results of
18 the first certifying examination following graduation and (2) to
19 registered nurse anesthetists currently licensed in another state
20 pending completion of the application for a Nebraska license. A
21 temporary license issued pursuant to this section may be extended
22 at the discretion of the board with the approval of the department.
23 An individual holding a temporary permit as a registered nurse
24 anesthetist on ~~the operative date of this section~~ July 1, 2007,
25 shall be deemed to be holding a temporary license under this
26 section on such date. The permitholder may continue to practice
27 under such temporary permit as a temporary license until it would

1 have expired under its terms.

2 Sec. 239. Section 71-1735, Revised Statutes Cumulative
3 Supplement, 2006, as amended by section 18, Legislative Bill 185,
4 One Hundredth Legislature, First Session, 2007, is amended to read:

5 ~~71-1735~~ To renew a license to practice as a
6 certified registered nurse anesthetist, the applicant shall have
7 current certification by the Council on Certification of Nurse
8 Anesthetists.

9 Sec. 241. Section 71-1734, Reissue Revised Statutes of
10 Nebraska, as amended by section 17, Legislative Bill 185, One
11 Hundredth Legislature, First Session, 2007, is amended to read:

12 ~~71-1734~~ (1) The determination and administration of total
13 anesthesia care shall be performed by the certified registered
14 nurse anesthetist or a nurse anesthetist temporarily licensed
15 pursuant to section ~~71-1731~~ 238 of this act in consultation
16 and collaboration with and with the consent of the licensed
17 practitioner.

18 (2) The following duties and functions shall be
19 considered as specific expanded role functions of the certified
20 registered nurse anesthetist:

21 (a) Preanesthesia evaluation including physiological
22 studies to determine proper anesthetic management and obtaining
23 informed consent;

24 (b) Selection and application of appropriate monitoring
25 devices;

26 (c) Selection and administration of anesthetic
27 techniques;

1 (d) Evaluation and direction of proper postanesthesia
2 management and dismissal from postanesthesia care; and

3 (e) Evaluation and recording of postanesthesia course of
4 patients.

5 (3) The determination of other duties that are normally
6 considered medically delegated duties to the certified registered
7 nurse anesthetist or to a nurse anesthetist temporarily licensed
8 pursuant to section ~~71-1731~~ 238 of this act shall be the joint
9 responsibility of the governing board of the hospital, medical
10 staff, and nurse anesthetist personnel of any duly licensed
11 hospital or, if in an office or clinic, the joint responsibility
12 of the duly licensed practitioner and nurse anesthetist. All such
13 duties, except in cases of emergency, shall be in writing in the
14 form prescribed by hospital or office policy.

15 Sec. 255. Section 71-17,118, Revised Statutes Cumulative
16 Supplement, 2006, as amended by section 28, Legislative Bill 185,
17 One Hundredth Legislature, First Session, 2007, is amended to read:

18 ~~71-17,118 For purposes of the Clinical Nurse Specialist~~
19 ~~Practice Act:~~

20 ~~(1)~~ Approved certifying body means a national
21 certification organization which ~~(a)~~ (1) is approved by the board,
22 ~~(b)~~ (2) certifies qualified licensed registered nurses for advanced
23 practice, ~~(c)~~ (3) has eligibility requirements related to education
24 and practice, and ~~(d)~~ (4) offers an examination in an area of
25 practice which meets psychometric guidelines and tests approved by
26 the board. ~~+~~

27 ~~(2) Board means the Board of Advanced Practice Registered~~

1 ~~Nurses;~~

2 ~~(3) Clinical nurse specialist means a registered nurse~~
3 ~~certified as described in section 71-17,119 and licensed under the~~
4 ~~Advanced Practice Registered Nurse Licensure Act to practice as a~~
5 ~~clinical nurse specialist in the State of Nebraska; and~~

6 ~~(4) Department means the Department of Health and Human~~
7 ~~Services Regulation and Licensure.~~

8 Sec. 259. Section 71-17,128, Revised Statutes Cumulative
9 Supplement, 2006, as amended by section 34, Legislative Bill 185,
10 One Hundredth Legislature, First Session, 2007, is amended to read:

11 ~~71-17,128~~ The Clinical Nurse Specialist Practice Act does
12 not prohibit the performance of the professional activities of a
13 clinical nurse specialist by a person not holding a license issued
14 under the act if performed:

15 (1) In an emergency situation;

16 (2) By a legally qualified person from another state
17 employed by the United States and performing official duties in
18 this state; or

19 (3) By a person enrolled in an approved clinical nurse
20 specialist program for the education of clinical nurse specialists
21 as part of that approved program.

22 Sec. 260. Section 71-17,119, Revised Statutes Cumulative
23 Supplement, 2006, as amended by section 29, Legislative Bill 185,
24 One Hundredth Legislature, First Session, 2007, is amended to read:

25 ~~71-17,119~~ An applicant for licensure under the Advanced
26 Practice Registered Nurse Licensure Practice Act to practice as
27 a clinical nurse specialist shall be licensed as a registered

1 nurse under the Nurse Practice Act or have the authority based on
2 the Nurse Licensure Compact to practice as a registered nurse in
3 Nebraska and shall submit to the department the following:

4 (1) Evidence that the applicant holds a graduate degree
5 in a nursing clinical specialty area or has a graduate degree in
6 nursing and has successfully completed a graduate-level clinical
7 nurse specialist education program; and

8 (2) ~~Except as provided in section 71-17,121,~~ evidence
9 Evidence of certification issued by an approved certifying body
10 or, when such certification is not available, an alternative method
11 of competency assessment by any means ~~permitted under section~~
12 ~~71-17,124~~ and approved by the board.

13 Sec. 262. Section 71-17,121, Revised Statutes Cumulative
14 Supplement, 2006, as amended by section 30, Legislative Bill 185,
15 One Hundredth Legislature, First Session, 2007, is amended to read:

16 ~~71-17,121~~ (1) An applicant who meets the requirements for
17 licensure in section 71-17,119 shall be licensed by the department
18 as a clinical nurse specialist, ~~except that a person practicing~~
19 as a clinical nurse specialist pursuant to the Nurse Practice
20 Act on July 1, 2007, who applies on or after such date and
21 before September 1, 2007, shall be licensed as a clinical nurse
22 specialist under this section without complying with subdivision
23 (2) of section 71-17,119.

24 (2) A person licensed as a clinical nurse specialist
25 has the right to use the title Clinical Nurse Specialist and the
26 abbreviation CNS.

27 Sec. 465. Section 71-193.18, Reissue Revised Statutes of

1 Nebraska, as amended by section 329, Legislative Bill 296, One
2 Hundredth Legislature, First Session, 2007, is amended to read:

3 ~~71-193.18~~ (1) A licensed dental hygienist may monitor
4 nitrous oxide analgesia under the indirect supervision of a
5 licensed dentist.

6 (2) A licensed dental hygienist may be approved by
7 the department, ~~upon~~ with the recommendation of the ~~Board of~~
8 ~~Dentistry,~~ board, to administer local anesthesia under the indirect
9 supervision of a licensed dentist. The ~~department~~ board may, ~~upon~~
10 ~~the recommendation of the board,~~ prescribe by rule and regulation:
11 The necessary education and preparation, which shall include, but
12 not be limited to, instruction in the areas of head and neck
13 anatomy, osteology, physiology, pharmacology, medical emergencies,
14 and clinical techniques; the necessary clinical experience; and the
15 necessary examination for purposes of determining the competence
16 of licensed dental hygienists to administer local anesthesia. ~~Upon~~
17 ~~the recommendation of the board,~~ the department The board may
18 approve successful completion after July 1, 1994, of a course of
19 instruction to determine competence to administer local anesthesia.
20 The course of instruction must be at an ~~institution accredited~~
21 ~~by a regional or professional accrediting organization which is~~
22 ~~recognized by the United States Department of Education and~~
23 ~~approved by the Division of Public Health of the Department~~
24 ~~of Health and Human Services.~~ accredited school or college of
25 dentistry or an accredited dental hygiene program. The course of
26 instruction must be taught by a faculty member or members of
27 the ~~institution~~ school or college of dentistry or dental hygiene

1 program presenting the course. The ~~department~~ board may approve for
2 purposes of this subsection a course of instruction if such course
3 includes:

4 (a) At least twelve clock hours of classroom lecture,
5 including instruction in (i) medical history evaluation procedures,
6 (ii) anatomy of the head, neck, and oral cavity as it relates to
7 administering local anesthetic agents, (iii) pharmacology of local
8 anesthetic agents, vasoconstrictor, and preservatives, including
9 physiologic actions, types of anesthetics, and maximum dose per
10 weight, (iv) systemic conditions which influence selection and
11 administration of anesthetic agents, (v) signs and symptoms of
12 reactions to local anesthetic agents, including monitoring of vital
13 signs, (vi) management of reactions to or complications associated
14 with the administration of local anesthetic agents, (vii) selection
15 and preparation of the armamentaria for administering various
16 local anesthetic agents, and (viii) methods of administering local
17 anesthetic agents;

18 (b) At least twelve clock hours of clinical instruction
19 during which time at least three injections of each of the
20 anterior, middle and posterior superior alveolar, naso and greater
21 palatine, inferior alveolar, lingual, mental, long buccal, and
22 infiltration injections are administered; and

23 (c) Procedures, which shall include an examination, for
24 purposes of determining whether the hygienist has acquired the
25 necessary knowledge and proficiency to administer local anesthetic
26 agents.

27 Sec. 562. Section 71-1340, Reissue Revised Statutes of

1 Nebraska, as amended by section 467, Legislative Bill 296, One
2 Hundredth Legislature, First Session, 2007, is amended to read:

3 71-1340 (1) A decedent, prior to his or her death, may
4 direct the preparation for the final disposition of his or her
5 remains by written instructions. If such instructions are in a will
6 or other written instrument, the decedent may direct that the whole
7 or any part of such remains be given to a teaching institution,
8 university, college, or legally licensed hospital, to the ~~Director~~
9 ~~of Public Health,~~ director, or to or for the use of any nonprofit
10 blood bank, artery bank, eye bank, or other therapeutic service
11 operated by any agency approved by the director under rules and
12 regulations established by the director. The person or persons
13 otherwise entitled to control the disposition of the remains under
14 this section shall faithfully carry out the directions of the
15 decedent.

16 (2) If such instructions are contained in a will or
17 other written instrument, they shall be immediately carried out,
18 regardless of the validity of the will in other respects or of the
19 fact that the will may not be offered for or admitted to probate
20 until a later date.

21 (3) This section shall be administered and construed to
22 the end that such expressed instructions of any person shall be
23 faithfully and promptly performed.

24 (4) A funeral director and embalmer, physician, or
25 cemetery authority shall not be liable to any person or persons for
26 carrying out such instructions of the decedent, and any teaching
27 institution, university, college, or legally licensed hospital or

1 the ~~Director of Public Health~~ director shall not be liable to any
2 person or persons for accepting the remains of any deceased person
3 under a will or other written instrument as set forth in this
4 section.

5 Sec. 563. Section 71-1341, Reissue Revised Statutes of
6 Nebraska, as amended by section 468, Legislative Bill 296, One
7 Hundredth Legislature, First Session, 2007, is amended to read:

8 ~~71-1341~~ A written authorization for an autopsy given
9 by the survivor or survivors, as enumerated in section ~~71-1339,~~
10 561 of this act, having the right to control the disposition of
11 remains may, subject to section 23-1824 and when not inconsistent
12 with any directions given by the decedent pursuant to section
13 ~~71-1340,~~ 562 of this act, include authorization for the removal
14 of any specifically named organ or organs for therapeutic or
15 scientific purposes. Pursuant to any such written authorization,
16 any structure or organ may be given to the ~~Director of Public~~
17 ~~Health~~ director or to any other therapeutic service operated by
18 any nonprofit agency approved by the director, including, but not
19 limited to, a teaching institution, university, college, legally
20 licensed hospital, nonprofit blood bank, nonprofit artery bank,
21 nonprofit eye bank, or nationally recognized nonprofit hormone and
22 pituitary program. The person or persons performing any autopsy
23 shall do so within a reasonable time and without delay and
24 shall not exceed the removal permission contained in such written
25 authorization, and the remains shall not be significantly altered
26 in external appearance nor shall any portion thereof be removed for
27 purposes other than those expressly permitted in this section.

1 Sec. 672. Section 71-1,107.16, Reissue Revised Statutes
2 of Nebraska, as amended by section 338, Legislative Bill 296, One
3 Hundredth Legislature, First Session, 2007, is amended to read:

4 ~~71-1,107.16 For purposes of sections 71-1,107.15 to~~
5 ~~71-1,107.30, unless the context otherwise requires:~~

6 ~~(1) Approved program means a program for the education of~~
7 ~~physician assistants which the board formally approves;~~

8 ~~(2) Board means the Board of Medicine and Surgery;~~

9 ~~(3) Department means the Division of Public Health of the~~
10 ~~Department of Health and Human Services;~~

11 ~~(4) Physician assistant means any person who graduates~~
12 ~~from a program approved by the Commission on Accreditation of~~
13 ~~Allied Health Education Programs or its predecessor or successor~~
14 ~~agency and the board, who satisfactorily completes a proficiency~~
15 ~~examination, and whom the board, with the concurrence of the~~
16 ~~department, with the recommendation of the board, approves to~~
17 ~~perform medical services under the supervision of a physician~~
18 ~~or group of physicians approved by the department, with the~~
19 ~~recommendation of the board, to supervise such assistant.;~~

20 ~~(5) Supervision means the ready availability of the~~
21 ~~supervising physician for consultation and direction of the~~
22 ~~activities of the physician assistant. Contact with the supervising~~
23 ~~physician by telecommunication shall be sufficient to show ready~~
24 ~~availability if the board finds that such contact is sufficient to~~
25 ~~provide quality medical care. The level of supervision may vary by~~
26 ~~geographic location as provided in section 71-1,107.17;~~

27 ~~(6) Trainee means any person who is currently enrolled in~~

1 an approved program;

2 ~~(7) Proficiency examination means the initial proficiency~~
3 ~~examination approved by the board for the licensure of physician~~
4 ~~assistants, including, but not limited to, the examination~~
5 ~~administered by the National Commission on Certification of~~
6 ~~Physician Assistants or other national organization established for~~
7 ~~such purpose that is recognized by the board;~~

8 ~~(8) Supervising physician means a (a) board-approved~~
9 ~~physician who utilizes an approved physician assistant or (b)~~
10 ~~backup physician;~~

11 ~~(9) Backup physician means a physician designated by~~
12 ~~the supervising physician to ensure supervision of the physician~~
13 ~~assistant in the supervising physician's absence. A backup~~
14 ~~physician shall be subject to the same requirements imposed upon~~
15 ~~the supervising physician when the backup physician is acting as a~~
16 ~~supervising physician; and~~

17 ~~(10) Committee means the Physician Assistant Committee~~
18 ~~created in section 71-1,107.25.~~

19 Sec. 804. Section 71-1707, Revised Statutes Cumulative
20 Supplement, 2006, as amended by section 5, Legislative Bill 185,
21 One Hundredth Legislature, First Session, 2007, is amended to read:

22 ~~71-1707~~ Nurse practitioner means a registered nurse
23 certified as described in section ~~71-1722~~ 809 of this act and
24 licensed under the Advanced Practice Registered Nurse Licensure
25 Practice Act to practice as a nurse practitioner.

26 Sec. 808. Section 71-1726.01, Revised Statutes Cumulative
27 Supplement, 2006, as amended by section 12, Legislative Bill 185,

1 One Hundredth Legislature, First Session, 2007, is amended to read:

2 ~~71-1726.01~~ The Nurse Practitioner Practice Act does not
3 prohibit the performance of activities of a nurse practitioner by
4 an unlicensed person if performed:

5 (1) In an emergency situation;

6 (2) By a legally qualified person from another state
7 employed by the United States Government and performing official
8 duties in this state;

9 (3) By a person enrolled in an approved nurse
10 practitioner program for the preparation of nurse practitioners as
11 part of that approved program; and

12 (4) By a person holding a temporary license pursuant to
13 section ~~71-1724.01~~. 810 of this act.

14 Sec. 809. Section 71-1722, Revised Statutes Cumulative
15 Supplement, 2006, as amended by section 6, Legislative Bill 185,
16 One Hundredth Legislature, First Session, 2007, is amended to read:

17 ~~71-1722~~ (1) An applicant for licensure under the Advanced
18 Practice Registered Nurse Licensure Practice Act to practice as a
19 nurse practitioner shall have:

20 (a) A license as a registered nurse in the State of
21 Nebraska or the authority based upon the Nurse Licensure Compact to
22 practice as a registered nurse in Nebraska;

23 (b) Evidence of having successfully completed a
24 graduate-level program in the clinical specialty area of nurse
25 practitioner practice, which program is accredited by a national
26 accrediting body;

27 (c) Evidence of having successfully completed thirty

1 contact hours of education in pharmacotherapeutics; and

2 (d) Proof of having passed an examination pertaining to
3 the specific nurse practitioner role in nursing adopted or approved
4 by the board with the approval of the department. Such examination
5 may include any recognized national credentialing examination for
6 nurse practitioners conducted by an approved certifying body which
7 administers an approved certification program.

8 (2) If more than five years have elapsed since the
9 completion of the nurse practitioner program or since the applicant
10 has practiced in the specific nurse practitioner role, the
11 applicant shall meet the requirements in subsection (1) of this
12 section and provide evidence of continuing competency as required
13 by the board, pursuant to section ~~71-17,135-~~

14 Sec. 810. Section 71-1724.01, Revised Statutes Cumulative
15 Supplement, 2006, as amended by section 11, Legislative Bill 185,
16 One Hundredth Legislature, First Session, 2007, is amended to read:

17 ~~71-1724.01~~ The department may grant a temporary license
18 to practice as a nurse practitioner for up to one hundred twenty
19 days upon application:

20 (1) To graduates of an approved nurse practitioner
21 program pending results of the first credentialing examination
22 following graduation;

23 (2) To a nurse practitioner lawfully authorized to
24 practice in another state pending completion of the application
25 for a Nebraska license; and

26 (3) To applicants for purposes of a reentry program or
27 supervised practice as part of continuing competency activities

1 established by the board, pursuant to section ~~71-17,135.~~

2 A temporary license issued pursuant to this section may
3 be extended for up to one year with the approval of the board. An
4 individual holding a temporary permit as a nurse practitioner on
5 ~~the operative date of this section July 1, 2007,~~ shall be deemed to
6 be holding a temporary license under this section on such date. The
7 permitholder may continue to practice under such temporary permit
8 as a temporary license until it would have expired under its terms.

9 Sec. 811. Section 71-1724, Revised Statutes Cumulative
10 Supplement, 2006, as amended by section 10, Legislative Bill 185,
11 One Hundredth Legislature, First Session, 2007, is amended to read:

12 ~~71-1724~~ To renew a license to practice as a nurse
13 practitioner, the applicant shall have:

14 (1) Documentation of a minimum of two thousand eighty
15 hours of practice as a nurse practitioner within the five years
16 immediately preceding renewal. These practice hours shall fulfill
17 the requirements of the practice hours required for registered
18 nurse renewal. Practice hours as an advanced practice registered
19 nurse prior to July 1, 2007, shall be used to fulfill the
20 requirements of this section; and

21 (2) Proof of current certification in the specific nurse
22 practitioner clinical specialty area by an approved certification
23 program.

24 Sec. 813. Section 71-1723.01, Revised Statutes Cumulative
25 Supplement, 2006, as amended by section 8, Legislative Bill 185,
26 One Hundredth Legislature, First Session, 2007, is amended to read:

27 ~~71-1723.01~~ A person licensed as an advanced practice

1 ~~registered nurse in this state on July 1, 2007, shall be issued~~
2 ~~a license by the department under the Advanced Practice Registered~~
3 ~~Nurse Licensure Act to practice as a nurse practitioner under the~~
4 ~~Nurse Practitioner Act on such date.~~ A person licensed to practice
5 as a nurse practitioner in this state may use the title nurse
6 practitioner and the abbreviation NP.

7 Sec. 814. Section 71-1723.02, Revised Statutes Cumulative
8 Supplement, 2006, as amended by section 9, Legislative Bill 185,
9 One Hundredth Legislature, First Session, 2007, is amended to read:

10 ~~71-1723.02~~ (1) Prior to commencing practice as a nurse
11 practitioner, an individual (a) who has a master's degree or
12 doctorate degree in nursing and has completed an approved nurse
13 practitioner program, (b) who can demonstrate separate course
14 work in pharmacotherapeutics, advanced health assessment, and
15 pathophysiology or psychopathology, and (c) who has completed a
16 minimum of two thousand hours of practice under the supervision of
17 a physician, shall submit to the department an integrated practice
18 agreement with a collaborating physician and shall furnish proof of
19 professional liability insurance required under section 812 of this
20 act. ~~71-1723.04 prior to commencing practice.~~

21 (2) A nurse practitioner who needs to obtain the two
22 thousand hours of supervised practice required under subdivision
23 (1)(c) of this section shall (a) submit to the department
24 one or more integrated practice agreements with a collaborating
25 physician, (b) furnish proof of jointly approved protocols with a
26 collaborating physician which shall guide the nurse practitioner's
27 practice, and (c) furnish proof of professional liability insurance

1 required under section ~~71-1723.04-~~ 812 of this act.

2 (3) If, after a diligent effort to obtain an integrated
3 practice agreement, a nurse practitioner is unable to obtain an
4 integrated practice agreement with one physician, the board may
5 waive the requirement of an integrated practice agreement upon a
6 showing that the applicant (a) meets the requirements of subsection
7 (1) of this section, (b) has made a diligent effort to obtain
8 an integrated practice agreement, and (c) will practice in a
9 geographic area where there is a shortage of health care services.

10 Sec. 832. Section 71-6065, Reissue Revised Statutes of
11 Nebraska, as amended by section 649, Legislative Bill 296, One
12 Hundredth Legislature, First Session, 2007, is amended to read:

13 ~~71-6065 (1) The Board of Examiners in Nursing Home~~
14 ~~Administration is created.~~ The board shall be under the supervision
15 of the department and shall consist of a designated representative
16 of the department and the following members appointed by the State
17 Board of Health: seven professional members and two public members
18 appointed pursuant to section 58 of this act. The members shall
19 meet the requirements of sections 64 and 65 of this act.

20 (2) The professional members shall consist of: (a) Two
21 members who hold active licenses and are currently employed in
22 the management, operation, or ownership of proprietary homes for
23 the aged or infirm or nursing homes that serve the aged or infirm
24 in Nebraska; (b) two members who hold active licenses and are
25 currently employed in the management or operation of a nonprofit
26 home for the aged or infirm or nursing home or hospital caring
27 for chronically ill or infirm, aged patients; (c) one member who

1 is a member of the faculty of a college or university located in
2 the state who is actively engaged in a teaching program relating
3 to business administration, social work, gerontology, or some other
4 aspect of the administration of health care facilities; (d) one
5 member who is a licensed physician and surgeon with a demonstrated
6 interest in long-term care; and (e) one member who is a licensed
7 registered nurse. ~~and (f) two members who are laypersons, at~~
8 ~~least the age of majority, residents of this state for at least~~
9 ~~five years preceding appointment, and representative of consumer~~
10 ~~viewpoints. The members of the board shall serve as members of such~~
11 ~~board until the expiration of their respective terms or until their~~
12 ~~successors have been appointed and qualified. Each appointed member~~
13 ~~who is an administrator shall be licensed pursuant to sections~~
14 ~~71-6053 to 71-6068.~~

15 ~~(2) The appointed members shall be appointed for terms of~~
16 ~~three years, and the terms shall be staggered so that the terms of~~
17 ~~three appointed members of the board expire each year. The term of~~
18 ~~each member shall commence on the first day of December following~~
19 ~~the expiration of the term of the member whom such person succeeds.~~
20 ~~A vacancy in any appointive position on the board shall be filled~~
21 ~~for the unexpired portion of the term by appointment by the State~~
22 ~~Board of Health in the same manner as original appointments are~~
23 ~~made. Appointed members shall serve until their successors are~~
24 ~~appointed and qualified.~~

25 ~~(3) The State Board of Health shall have power to remove~~
26 ~~from office at any time any member of the board after a public~~
27 ~~hearing pursuant to the Administrative Procedure Act for physical~~

1 or mental incapacity to carry out the duties of a board member, for
2 continued neglect of duty, for incompetency, for acting beyond the
3 individual member's scope of authority, for malfeasance in office,
4 for any cause for which a license may be suspended or revoked, or
5 for a lack of licensure.

6 ~~(4)~~ The department shall adopt and promulgate rules and
7 regulations which establish definitions of conflicts of interest
8 for members of the board and which establish procedures in the case
9 such a conflict arises.

10 Sec. 885. Section 71-1,135.02, Reissue Revised Statutes
11 of Nebraska, as amended by section 341, Legislative Bill 296, One
12 Hundredth Legislature, First Session, 2007, is amended to read:

13 ~~71-1,135.02~~ ~~(1)(a)~~ (1) No optometrist licensed in
14 this state, except an optometrist who has been certified by
15 the department prior to April 30, 1987, or by another state
16 with substantially equivalent requirements for certification as
17 determined by the department upon recommendation of the Board of
18 Optometry board to use topical ocular pharmaceutical agents for
19 diagnostic purposes prior to April 30, 1987, shall use topical
20 ocular pharmaceutical agents for diagnostic purposes authorized
21 under subdivision ~~(2)~~ (1)(b) of section ~~71-1,133~~ 877 of this act
22 unless such person ~~(i)~~ (a) submits to the board the required
23 fee and department evidence of satisfactory completion of a
24 pharmacology course at an institution accredited by a regional or
25 professional accrediting organization which is recognized by the
26 United States Department of Education, (b) and approved by the
27 Division of Public Health of the Department of Health and Human

1 ~~Services,~~ ~~(ii)~~ passes an examination approved by the ~~department,~~
2 board, and ~~(iii)~~ (c) has been certified by the ~~department upon~~
3 Division of Public Health of the Department of Health and Human
4 Services, with the recommendation of the board, as qualified to use
5 topical ocular pharmaceutical agents for diagnostic purposes.

6 ~~(b)~~ (2) The ~~department~~ board may approve for
7 certification pursuant to subdivision ~~(1)(a)(i)~~ (1)(a) of this
8 section a pharmacology course if such course includes:

9 ~~(i)~~ (a) A study of ocular anesthetics, mydriatics,
10 cycloplegics, ocular toxicity of pharmaceutical agents, ocular
11 allergies of ocular agents, and pharmacologic effects of ocular
12 drug substances;

13 ~~(ii)~~ (b) The consideration of the mechanism of action
14 of anesthetics, cycloplegics, and mydriatics in human beings and
15 the uses of such substances in the diagnosis of occurring ocular
16 disorders;

17 ~~(iii)~~ (c) At least one hundred hours of classroom
18 education, clinical training, and examination; and

19 ~~(iv)~~ (d) The correlation of the utilization of
20 pharmaceutical agents and optical instrumentation and procedures.

21 ~~(e)~~ The ~~department~~ (3) The board may approve for
22 certification pursuant to subdivision ~~(1)(a)(ii)~~ (1)(b) of this
23 section an examination if such examination is:

24 ~~(i)~~ (a) Based upon the competencies taught in a
25 pharmacology course; and

26 ~~(ii)~~ (b) Administered by an institution accredited by
27 a regional or professional accrediting organization which is

1 recognized by the United States Department of Education, and
2 approved by the Division of Public Health of the Department of
3 Health and Human Services.

4 (2)(a) No optometrist licensed in this state on or after
5 April 30, 1987, shall use topical ocular pharmaceutical agents for
6 therapeutic purposes authorized under subdivision (3) of section
7 71-1,133 unless such person (i) submits to the board the required
8 fee and evidence of satisfactory completion of a minimum of one
9 hundred hours since January 1, 1984, of which forty hours shall be
10 classroom education and sixty hours shall be supervised clinical
11 training as it applies to optometry with particular emphasis
12 on the examination, diagnosis, and treatment of the eye, ocular
13 adnexa, and visual system offered by a school or college approved
14 by the department, (ii) passes an examination approved by the
15 department, (iii) has been certified by the department upon the
16 recommendation of the board to use topical ocular pharmaceutical
17 agents for therapeutic purposes, and (iv) has been certified by
18 the department upon the recommendation of the board to use topical
19 ocular pharmaceutical agents for diagnostic purposes.

20 (b) The department may approve for certification pursuant
21 to subdivision (2)(a)(i) of this section a therapeutic course
22 or courses of instruction, from an institution accredited by
23 a regional or professional accrediting organization which is
24 recognized by the United States Department of Education, that
25 have been completed after January 1, 1984. Such course or courses
26 shall include, but not be limited to:

27 (i) Review of general pharmacology and therapeutics;

1 ~~(ii) Review of ocular therapeutic pharmacology;~~

2 ~~(iii) Diagnosis and treatment of diseases of the eye,~~

3 ~~ocular adnexa, and visual system;~~

4 ~~(iv) Diagnosis of corneal disease and trauma including~~

5 ~~corneal foreign bodies;~~

6 ~~(v) Diagnosis and treatment of anterior segment eye~~

7 ~~diseases;~~

8 ~~(vi) Clinical procedures related to the diagnosis and~~

9 ~~treatment of the eye, ocular adnexa, and visual system;~~

10 ~~(vii) Ocular manifestations of systemic disease;~~

11 ~~(viii) Review of systemic disease syndromes;~~

12 ~~(ix) Ocular therapy including management of acute~~

13 ~~systemic emergencies, and~~

14 ~~(x) Consultation criteria in ocular disease and trauma.~~

15 ~~(3)(a) An optometrist who is licensed and certified to~~

16 ~~use pharmaceutical agents for therapeutic purposes on July 15,~~

17 ~~1998, who graduated from an accredited school of optometry prior~~

18 ~~to January 1, 1996, shall complete the educational requirements~~

19 ~~relative to the treatment of glaucoma, as determined by the board,~~

20 ~~prior to January 1, 2000, and shall complete such educational~~

21 ~~requirements prior to treating glaucoma. Failure to complete such~~

22 ~~education prior to January 1, 2000, shall result in the revocation~~

23 ~~of the licensee's certification to use pharmaceutical agents for~~

24 ~~therapeutic purposes.~~

25 ~~(b) An optometrist who applies for licensure on or~~

26 ~~after July 15, 1998, who graduated from an accredited school~~

27 ~~of optometry prior to January 1, 1996, shall complete the~~

1 educational requirements relative to the treatment of glaucoma,
2 as determined by the board, prior to being issued a license to
3 practice optometry.

4 (c) An optometrist who graduated from an accredited
5 school of optometry after January 1, 1996, shall be deemed to
6 have met the educational requirements for certification to use
7 pharmaceutical agents for therapeutic purposes which includes the
8 treatment and management of glaucoma.

9 Sec. 889. Section 71-1,136, Reissue Revised Statutes of
10 Nebraska, as amended by section 342, Legislative Bill 296, One
11 Hundredth Legislature, First Session, 2007, is amended to read:

12 ~~71-1,136~~ No school of optometry shall be approved by
13 the Division of Public Health of the Department of Health and
14 Human Services board as an accredited school unless the school is
15 accredited by a regional or professional accrediting organization
16 which is recognized by the United States Department of Education.

17 Sec. 974. Section 71-1,147.45, Reissue Revised Statutes
18 of Nebraska, as amended by section 351, Legislative Bill 296, One
19 Hundredth Legislature, First Session, 2007, is amended to read:

20 ~~71-1,147.45~~ (1) Upon the completion of any hearing
21 pursuant to section ~~71-1,147.44~~, 973 of this act, the director
22 shall have the authority through entry of an order to exercise in
23 his or her discretion any or all of the following powers:

- 24 (a) Issue a censure against the permittee;
- 25 (b) Place the permittee on probation;
- 26 (c) Place a limitation or limitations on the permit and
- 27 upon the right of the permittee to dispense drugs or devices to the

1 extent, scope, or type of operation, for such time, and under such
2 conditions as the director finds necessary and proper. The director
3 shall consult with the board in all instances prior to issuing an
4 order of limitation;

5 (d) Impose a civil penalty not to exceed twenty thousand
6 dollars. The amount of the civil penalty, if any, shall be based
7 on the severity of the violation. If any violation is a repeated
8 or continuing violation, each violation or each day a violation
9 continues shall constitute a separate violation for the purpose of
10 computing the applicable civil penalty, if any;

11 (e) Enter an order of suspension of the permit;

12 (f) Enter an order of revocation of the permit; and

13 (g) Dismiss the action.

14 (2) The permittee shall not dispense drugs or devices
15 after a permit is revoked or during the time for which the permit
16 is suspended. If a permit is suspended, the suspension shall be for
17 a definite period of time to be fixed by the director. The permit
18 shall be automatically reinstated upon the expiration of such
19 period if the current renewal fees have been paid. If the permit
20 is revoked, the revocation shall be permanent, except that at any
21 time after the expiration of two years, application may be made
22 for reinstatement by any permittee whose permit has been revoked
23 as provided in section 48 of this act. ~~The application shall be~~
24 ~~addressed to the director but may not be received or filed unless~~
25 ~~accompanied by a written recommendation of reinstatement by the~~
26 ~~board. The department may adopt and promulgate the necessary rules~~
27 ~~and regulations concerning notice and hearing of such application.~~

1 (3) Any civil penalty assessed and unpaid under this
2 section shall constitute a debt to the State of Nebraska which
3 may be collected in the manner of a lien foreclosure or sued for
4 and recovered in a proper form of action in the name of the state
5 in the district court of the county in which the violator resides
6 or owns property. The department shall remit any collected civil
7 penalty to the State Treasurer, within thirty days after receipt,
8 for distribution in accordance with Article VII, section 5, of the
9 Constitution of Nebraska.

10 Sec. 1155. Section 46-1217, Revised Statutes Cumulative
11 Supplement, 2006, as amended by section 209, Legislative Bill 296,
12 One Hundredth Legislature, First Session, 2007, is amended to read:

13 46-1217 (1) There is hereby created a Water Well
14 Standards and Contractors' Licensing Board. The board shall be
15 composed of ten members, six of whom shall be appointed by
16 the Governor as follows: ~~(1)~~ A (a) A licensed water well
17 contractor representing irrigation water well contractors, ~~(2)~~
18 a (b) a licensed water well contractor representing domestic water
19 well contractors, ~~(3)~~ a (c) a licensed water well contractor
20 representing municipal and industrial water well contractors, ~~(4)~~ a
21 (d) a licensed pump installation contractor, ~~(5)~~ (e) a manufacturer
22 or supplier of water well or pumping equipment, and ~~(6)~~ (f) a
23 holder of a license ~~or certificate~~ issued under the Water Well
24 Standards and Contractors' ~~Licensing~~ Practice Act employed by a
25 natural resources district. The chief executive officer of the
26 Department of Health and Human Services or his or her designated
27 representative, the Director of Environmental Quality or his or

1 her designated representative, the Director of Natural Resources
2 or his or her designated representative, and the director of the
3 Conservation and Survey Division of the University of Nebraska or
4 his or her designated representative shall also serve as members of
5 the board.

6 (2) Each member shall be a resident of the state. Each
7 ~~appointed member of the board~~ industry representative shall have
8 had at least five years of experience in the business of his or
9 her category prior to appointment and shall be actively engaged
10 in such business at the time of appointment and while serving on
11 the board. Each member representing a category subject to licensing
12 under the Water Well Standards and Contractors' Licensing Practice
13 Act, ~~with the exception of members initially appointed~~, shall
14 be licensed by the department pursuant to such act. In making
15 appointments, the Governor may consider recommendations made by the
16 trade associations of each category.

17 Sec. 1168. Section 46-1235, Reissue Revised Statutes of
18 Nebraska, as amended by section 210, Legislative Bill 296, One
19 Hundredth Legislature, First Session, 2007, is amended to read:

20 46-1235 In cases other than those relating to failure
21 to meet the requirements for an initial license, ~~or an initial~~
22 ~~certificate~~, the department may deny, refuse renewal of, suspend,
23 or revoke licenses ~~or certificates~~ or may take other disciplinary
24 action in accordance with section 96 of this act for the grounds
25 found in sections 78 and 79 of this act and for any of the
26 following acts or offenses:

27 ~~(1) Practice of fraud or deceit in obtaining a license or~~

1 ~~certificate;~~

2 ~~(2)~~ (1) Violation of the Water Well Standards and
3 Contractors' Licensing Practice Act or any standards, rules, or
4 regulations adopted and promulgated pursuant to such act;

5 ~~(3)~~ Incompetence or gross negligence in the performance
6 of any activity for which licenses or certificates are issued
7 pursuant to the act;

8 ~~(4)~~ (2) Conduct or practices detrimental to the health
9 or safety of persons hiring the services of the licensee or
10 certificate holder or of members of the general public;

11 ~~(5)~~ Practice of the trade fraudulently, beyond the
12 authorized scope, or with manifest incapacity;

13 ~~(6)~~ Practice of the trade while the ability to practice
14 is impaired by alcohol, controlled substances, narcotic drugs, or
15 physical disability;

16 ~~(7)~~ Permitting, aiding, or abetting the practice of the
17 trade or the performance of activities requiring a license or
18 certificate by a person not licensed or certified to do so;

19 ~~(8)~~ Having had a license or certificate denied,
20 refused renewal, limited, suspended, or revoked or having been
21 disciplined in any other manner by another state or jurisdiction
22 to practice water well construction, water well drilling, water
23 well decommissioning, or pump installation based upon acts by
24 the applicant, licensee, or certificate holder similar to acts
25 described in this section. A certified copy of the record of
26 denial, refusal of renewal, limitation, suspension, or revocation
27 of a license or certificate or the taking of other disciplinary

1 action by another state or jurisdiction shall be conclusive
2 evidence;

3 ~~(9) Unprofessional conduct as may be defined in rules and
4 regulations of the board with approval of the department;~~

5 ~~(10) (3) Practice of the trade while the license or
6 certificate to do so is suspended or practice of the trade
7 in contravention of any limitation placed upon the license; or
8 certificate;~~

9 ~~(11) (4) Failing to file a water well registration
10 required by subsection (1), (2), (3), (4), or (5) of section 46-602
11 or failing to file a notice required by subsection (7) of such
12 section; or~~

13 ~~(12) (5) Failing to file a properly completed notice of
14 abandonment of a water well required by subsection (8) of section
15 46-602.~~

16 A licensee or certificate holder shall not engage in the
17 practice of the trade after a license or certificate is revoked
18 or during the time for which it is suspended. If a license or
19 certificate is suspended, the suspension shall be for a definite
20 period of time to be fixed by the department, and such license or
21 certificate shall be automatically reinstated upon the expiration
22 of such period if the current renewal fee has been paid. If such
23 license or certificate is revoked, such revocation shall be for one
24 year.

25 Sec. 1177. Section 69-2429, Revised Statutes Cumulative
26 Supplement, 2006, is amended to read:

27 69-2429 For purposes of the Concealed Handgun Permit Act:

1 (1) Concealed handgun means the handgun is totally hidden
2 from view. If any part of the handgun is capable of being seen, it
3 is not a concealed handgun;

4 (2) Emergency services personnel means a volunteer or
5 paid firefighter or rescue squad member or a person certified
6 to provide emergency medical services pursuant to the Emergency
7 Medical Services Practice Act;

8 (3) Handgun means any firearm with a barrel less than
9 sixteen inches in length or any firearm designed to be held and
10 fired by the use of a single hand;

11 (4) Peace officer means any town marshal, chief of
12 police or local police officer, sheriff or deputy sheriff, the
13 Superintendent of Law Enforcement and Public Safety, any officer
14 of the Nebraska State Patrol, any member of the National Guard
15 on active service by direction of the Governor during periods
16 of emergency or civil disorder, any Game and Parks Commission
17 conservation officer, and all other persons with similar authority
18 to make arrests;

19 (5) Permitholder means an individual holding a current
20 and valid permit to carry a concealed handgun issued pursuant to
21 the Concealed Handgun Permit Act; and

22 (6) Proof of training means an original document or
23 certified copy of a document, supplied by an applicant, that
24 certifies that he or she either:

25 (a) Within the previous three years, has successfully
26 completed a handgun training and safety course approved by the
27 Nebraska State Patrol pursuant to section 69-2432; or

1 (b) Is a member of the active or reserve armed forces of
2 the United States or a member of the National Guard and has had
3 handgun training within the previous three years which meets the
4 minimum safety and training requirements of section 69-2432.

5 Sec. 1183. Section 71-1,104.01, Revised Statutes
6 Cumulative Supplement, 2006, as amended by section 333, Legislative
7 Bill 296, One Hundredth Legislature, First Session, 2007, is
8 amended to read:

9 ~~71-1,104.01~~ (1) Except as provided in section 71-519
10 and except for newborn screening tests ordered by physicians to
11 comply with the law of the state in which the infant was born,
12 a physician or an individual to whom the physician has delegated
13 authority to perform a selected act, task, or function shall not
14 order a predictive genetic test without first obtaining the written
15 informed consent of the patient to be tested. Written informed
16 consent consists of a signed writing executed by the patient
17 or the representative of a patient lacking decisional capacity
18 that confirms that the physician or individual acting under the
19 delegated authority of the physician has explained, and the patient
20 or his or her representative understands:

21 (a) The nature and purpose of the predictive genetic
22 test;

23 (b) The effectiveness and limitations of the predictive
24 genetic test;

25 (c) The implications of taking the predictive genetic
26 test, including the medical risks and benefits;

27 (d) The future uses of the sample taken to conduct the

1 predictive genetic test and the genetic information obtained from
2 the predictive genetic test;

3 (e) The meaning of the predictive genetic test results
4 and the procedure for providing notice of the results to the
5 patient; and

6 (f) Who will have access to the sample taken to conduct
7 the predictive genetic test and the genetic information obtained
8 from the predictive genetic test, and the patient's right to
9 confidential treatment of the sample and the genetic information.

10 (2) The ~~department~~ Department of Health and Human
11 Services shall develop and distribute a model informed consent form
12 for purposes of this section. The department shall include in the
13 model form all of the information required under subsection (1)
14 of this section. The department shall distribute the model form
15 and all revisions to the form to physicians and other individuals
16 subject to this section upon request and at no charge. The
17 department shall review the model form at least annually for five
18 years after the first model form is distributed and shall revise
19 the model form if necessary to make the form reflect the latest
20 developments in medical genetics. The department may also develop
21 and distribute a pamphlet that provides further explanation of the
22 information included in the model form.

23 (3) If a patient or his or her representative signs a
24 copy of the model informed consent form developed and distributed
25 under subsection (2) of this section, the physician or individual
26 acting under the delegated authority of the physician shall give
27 the patient a copy of the signed informed consent form and shall

1 include the original signed informed consent form in the patient's
2 medical record.

3 (4) If a patient or his or her representative signs a
4 copy of the model informed consent form developed and distributed
5 under subsection (2) of this section, the patient is barred
6 from subsequently bringing a civil action for damages against
7 the physician, or an individual to whom the physician delegated
8 authority to perform a selected act, task, or function, who ordered
9 the predictive genetic test, based upon failure to obtain informed
10 consent for the predictive genetic test.

11 (5) A physician's duty to inform a patient under this
12 section does not require disclosure of information beyond what
13 a physician reasonably well-qualified to order and interpret
14 the predictive genetic test would know. A person acting under
15 the delegated authority of a physician shall understand and be
16 qualified to provide the information required by subsection (1) of
17 this section.

18 (6) For purposes of this section:

19 (a) Genetic information means information about a gene,
20 gene product, or inherited characteristic derived from a genetic
21 test;

22 (b) Genetic test means the analysis of human DNA, RNA,
23 chromosomes, epigenetic status, and those tissues, proteins, and
24 metabolites used to detect heritable or somatic disease-related
25 genotypes or karyotypes for clinical purposes. Tests of tissues,
26 proteins, and metabolites are included only when generally accepted
27 in the scientific and medical communities as being specifically

1 determinative of a heritable or somatic disease-related genetic
2 condition. Genetic test does not include a routine analysis,
3 including a chemical analysis, of body fluids or tissues unless
4 conducted specifically to determine a heritable or somatic
5 disease-related genetic condition. Genetic test does not include
6 a physical examination or imaging study. Genetic test does not
7 include a procedure performed as a component of biomedical research
8 that is conducted pursuant to federal common rule under 21 C.F.R.
9 parts 50 and 56 and 45 C.F.R. part 46, as such regulations existed
10 on January 1, 2003; and

11 (c) Predictive genetic test means a genetic test for an
12 otherwise undetectable genotype or karyotype relating to the risk
13 for developing a genetically related disease or disability, the
14 results of which can be used to substitute a patient's prior risk
15 based on population data or family history with a risk based on
16 genotype or karyotype. Predictive genetic test does not include
17 diagnostic testing conducted on a person exhibiting clinical signs
18 or symptoms of a possible genetic condition. Predictive genetic
19 testing does not include prenatal genetic diagnosis, unless the
20 prenatal testing is conducted for an adult-onset condition not
21 expected to cause clinical signs or symptoms before the age of
22 majority.

23 Sec. 1289. Section 71-6728, Reissue Revised Statutes of
24 Nebraska, as amended by section 2, Legislative Bill 283, One
25 Hundredth Legislature, First Session, 2007, is amended to read:

26 71-6728 Registration as a medication aide shall be
27 renewed biennially based upon competency. The department may

1 prescribe by rule and regulation how a medication aide can show
2 competency for purposes of renewal. Payment of the applicable fee
3 shall be a condition of renewal. After the effective date of this
4 act, any registration that is renewed shall expire two years after
5 the date the registration would have expired if it had not been
6 renewed. A medication aide who provides medication aide services
7 prior to registration or after the date the registration expires
8 shall be subject to the civil penalty prescribed in section 98 of
9 this act.

10 Sec. 1314. Section 81-2121, Revised Statutes Cumulative
11 Supplement, 2006, is amended to read:

12 81-2121 Nothing in the State Electrical Act shall be
13 construed to:

14 (1) Require employees of municipal corporations,
15 public power districts, public power and irrigation districts,
16 electric membership or cooperative associations, public utility
17 corporations, railroads, telephone or telegraph companies, or
18 commercial or industrial companies performing manufacturing,
19 installation, and repair work for such employer to hold licenses
20 while acting within the scope of their employment;

21 (2) Require any person doing work for which a license
22 would otherwise be required under the act to hold a license issued
23 under the act if he or she is the holder of a valid license issued
24 by any city or other political subdivision, so long as he or she
25 makes electrical installations only in the jurisdictional limits of
26 such city or political subdivision and such license issued by the
27 city or political subdivision meets the requirements of the act;

1 (3) Cover the installation, maintenance, repair, or
2 alteration of vertical transportation or passenger conveyors,
3 elevators, moving walks, dumbwaiters, stagelifts, manlifts, or
4 appurtenances thereto beyond the terminals of the controllers. The
5 licensing of elevator contractors or constructors shall not be
6 considered a part of the licensing requirements of the act;

7 (4) Require a license of any person who engages any
8 electrical appliance where approved electrical outlets are already
9 installed;

10 (5) Prohibit an owner of property from performing
11 work on his or her principal residence, if such residence is
12 not larger than a single-family dwelling, or farm property,
13 excluding commercial or industrial installations or installations
14 in public-use buildings or facilities, or require such owner to be
15 licensed under the act;

16 (6) Require that any person be a member of a labor union
17 in order to be licensed; or

18 (7) Prohibit a pump installation contractor or pump
19 installation supervisor credentialed under the Water Well Standards
20 and Contractors' Licensing Practice Act from wiring pumps and
21 pumping equipment at a water well location to the first control.

22 Sec. 1315. Section 6, Legislative Bill 296, One Hundredth
23 Legislature, First Session, 2007, is amended to read:

24 Sec. 6. (1) The Governor shall appoint a director for
25 each division created in section 4 of this act who shall serve
26 at the pleasure of the Governor and shall report to the chief
27 executive officer. Each division director shall be subject to

1 confirmation by a majority of the members of the Legislature.

2 (2) If the Director of Public Health is licensed to
3 practice medicine and surgery in the State of Nebraska, he or
4 she shall also be the chief medical officer. If the Director of
5 Public Health is not licensed to practice medicine and surgery in
6 the State of Nebraska, the Governor shall appoint a chief medical
7 officer in addition to the Director of Public Health. The chief
8 medical officer shall be licensed to practice medicine and surgery
9 in the State of Nebraska, shall serve at the pleasure of the
10 Governor, and shall be subject to confirmation by a majority of the
11 members of the Legislature.

12 (3) The chief medical officer shall perform duties
13 under the Uniform Licensing Law enumerated Credentialing Act as
14 provided in section 71-155.01, 101 of this act, shall be the final
15 decisionmaker in contested cases of health care facilities defined
16 in the Health Care Facility Licensure Act arising under the act and
17 sections 71-6042, 71-6732, and 81-604.03, and shall perform such
18 other duties as provided by law.

19 Sec. 1319. The following sections are outright
20 repealed: Sections 46-1219.01, 46-1220, 46-1222, 46-1226, 46-1232,
21 46-1235.02, 46-1236, 46-1237, 46-1237.03, 46-1240.02, 46-1240.03,
22 46-1240.04, 71-101.01, 71-106, 71-112.01, 71-119, 71-123, 71-132,
23 71-139.01, 71-140, 71-143, 71-144, 71-160, 71-161.05, 71-161.18,
24 71-172, 71-174.01, 71-175.01, 71-176.03, 71-179.01, 71-184,
25 71-186, 71-193.05, 71-193.16, 71-193.21, 71-193.24, 71-1,104.06,
26 71-1,106, 71-1,107.02, 71-1,107.04, 71-1,107.05, 71-1,107.10,
27 71-1,107.12, 71-1,107.24, 71-1,107.26, 71-1,107.27, 71-1,132.09,

1 71-1,132.10, 71-1,132.12, 71-1,132.20, 71-1,132.21, 71-1,132.29,
2 71-1,132.35, 71-1,132.36, 71-1,132.48, 71-1,136.03, 71-1,136.09,
3 71-1,144.01, 71-1,147.16, 71-1,147.17, 71-1,151, 71-1,160,
4 71-1,162, 71-1,186.01, 71-1,191, 71-1,192, 71-1,193, 71-1,195.03,
5 71-1,203, 71-1,206.11, 71-1,206.12, 71-1,206.17, 71-1,206.19,
6 71-1,206.28, 71-1,206.31, 71-1,228, 71-1,234, 71-1,242, 71-1,282,
7 71-1,291, 71-1,291.01, 71-1,292, 71-1,294, 71-1,313, 71-1,315,
8 71-1,316, 71-1,320, 71-1,321, 71-1,322, 71-1,324, 71-1,326,
9 71-1,327, 71-1,328, 71-1,330, 71-1,331, 71-1,333, 71-1,338,
10 71-1,340, 71-1,342, 71-1,349, 71-363, 71-373, 71-378, 71-379,
11 71-380, 71-391, 71-392, 71-393, 71-394.01, 71-3,103, 71-3,107,
12 71-3,108, 71-3,112, 71-3,115, 71-3,132, 71-3,155, 71-3,165,
13 71-3,166, 71-3,167, 71-3,168, 71-3,171, 71-3,172, 71-3,175,
14 71-3,176, 71-3,178, 71-3,182, 71-3,185, 71-3,188, 71-3,189,
15 71-3,190, 71-3,196, 71-3,197, 71-3,198, 71-3,202, 71-3,205,
16 71-3,209, 71-1326, 71-1329, 71-1332, 71-1333.02, 71-1333.03,
17 71-1345, 71-1354, 71-1782, 71-1784, 71-1787, 71-1788, 71-1791,
18 71-1793, 71-1794, 71-3705, 71-3705.01, 71-3707, 71-3708,
19 71-3708.01, 71-3709, 71-3711, 71-3712, 71-3715, 71-4702.01,
20 71-4706, 71-4709.01, 71-4710, 71-4711, 71-4714, 71-4715.01,
21 71-4716, 71-4717, 71-4719, 71-5180, 71-5181, 71-5182, 71-51,100,
22 71-6057, 71-6061, 71-6064, 71-6066, 71-6067, 71-6109, 71-6110,
23 71-6111, and 71-6112, Reissue Revised Statutes of Nebraska,
24 sections 46-1233.01, 71-139.02, 71-1,198, 71-1,360, 71-1,389,
25 71-375, 71-376, 71-377, 71-397, 71-3,145, 71-3,179, 71-1721.07,
26 71-17,130, and 71-17,141, Revised Statutes Cumulative Supplement,
27 2006, section 71-1764, Reissue Revised Statutes of Nebraska,

1 as amended by section 26, Legislative Bill 185, One Hundredth
2 Legislature, First Session, 2007, sections 46-1235.01, 46-1237.01,
3 46-1237.02, 46-1240.05, 71-104, 71-139, 71-141, 71-142, 71-151,
4 71-161.07, 71-161.12, 71-161.17, 71-161.20, 71-165, 71-172.02,
5 71-188, 71-193.22, 71-1,107, 71-1,132.53, 71-1,154, 71-1,190.01,
6 71-1,206.05, 71-1,290, 71-1,341, 71-354, 71-3,173, 71-1333.01,
7 71-1710, 71-1745, 71-1774, 71-5192, 71-6053, 71-6059, and 71-6068,
8 Reissue Revised Statutes of Nebraska, as amended by sections 211,
9 212, 213, 214, 298, 301, 302, 303, 305, 313, 314, 318, 319, 320,
10 323, 325, 331, 334, 340, 355, 356, 357, 360, 363, 365, 367, 466,
11 484, 486, 487, 603, 647, 648, and 650, respectively, Legislative
12 Bill 296, One Hundredth Legislature, First Session, 2007, sections
13 71-1723, 71-1726.02, 71-1737, 71-17,122, 71-17,123, 71-17,124,
14 71-17,129, and 71-17,139, Revised Statutes Cumulative Supplement,
15 2006, as amended by sections 7, 13, 19, 31, 32, 33, 35, and 40,
16 respectively, Legislative Bill 185, One Hundredth Legislature,
17 First Session, 2007, and sections 71-1,132.05, 71-1,142, 71-1,367,
18 and 71-3,174, Revised Statutes Cumulative Supplement, 2006,
19 as amended by sections 339, 344, 364, and 368, respectively,
20 Legislative Bill 296, One Hundredth Legislature, First Session,
21 2007.

- 22 2. On page 1, line 8, strike "46-1235,".
- 23 3. On page 2, line 1, strike "71-161.03,"; in line 10
24 strike "71-193.18,"; in line 16 strike "71-1,107.16,"; and in line
25 24 strike "71-1,135.02,".
- 26 4. On page 3, line 1, strike "71-1,136,"; and in line 10
27 strike "71-1,147.45,".

1 5. On page 5, line 14, strike "71-1340, 71-1341,";
2 in line 16 strike "71-1734,"; in line 17 strike "71-1748," and
3 "71-1752,"; and in line 17 strike "71-1756," and "71-1765,".

4 6. On page 6, line 8, strike "71-6065,"; in line 17
5 strike "71-6728, 71-6732,"; in line 23 strike "46-1217,"; and in
6 line 24 strike "71-101, 71-102" and insert "69-2429".

7 7. On page 7, line 3, strike "71-1,104.01,"; in line 8
8 strike "71-1,339,"; and in line 25 strike "71-1707,".

9 8. On page 8, line 2, strike "71-1722, 71-1723.01,
10 71-1723.02,"; in line 3 strike "71-1724, 71-1724.01, 71-1726.01,"
11 and "71-1729,"; in line 4 strike "71-1730, 71-1731, 71-1735,";
12 in line 5 strike "71-1749," and "71-1755, 71-1757,"; in line
13 6 strike "71-17,118, 71-17,119,"; in line 7 strike "71-17,121,
14 71-17,128,"; in line 8 strike "71-17,134, 71-17,135," and
15 "71-17,137, 71-17,138,"; in line 9 strike "71-17,140,"; in line
16 16 strike "81-3201" and insert "81-2121"; in line 17 strike
17 "and"; and in line 19 after "bill" insert ", sections 71-1734,
18 71-1748, 71-1752, 71-1756, and 71-1765, Reissue Revised Statutes
19 of Nebraska, as amended by sections 17, 20, 22, 24, and 27,
20 respectively, Legislative Bill 185, One Hundredth Legislature,
21 First Session, 2007, sections 46-1235, 71-161.03, 71-193.18,
22 71-1,107.16, 71-1,135.02, 71-1,136, 71-1,147.45, 71-1340, 71-1341,
23 and 71-6065, Reissue Revised Statutes of Nebraska, as amended by
24 sections 210, 311, 329, 338, 341, 342, 351, 467, 468, and 649,
25 respectively, Legislative Bill 296, One Hundredth Legislature,
26 First Session, 2007, section 71-6728, Reissue Revised Statutes
27 of Nebraska, as amended by section 2, Legislative Bill 283, One

1 Hundredth Legislature, First Session, 2007, sections 71-1707,
2 71-1722, 71-1723.01, 71-1723.02, 71-1724, 71-1724.01, 71-1726.01,
3 71-1729, 71-1730, 71-1731, 71-1735, 71-1749, 71-1755, 71-1757,
4 71-17,118, 71-17,119, 71-17,121, 71-17,128, 71-17,134, 71-17,135,
5 71-17,137, 71-17,138, and 71-17,140, Revised Statutes Cumulative
6 Supplement, 2006, as amended by sections 5, 6, 8, 9, 10, 11,
7 12, 14, 15, 16, 18, 21, 23, 25, 28, 29, 30, 34, 36, 37, 38,
8 39, and 41, respectively, Legislative Bill 185, One Hundredth
9 Legislature, First Session, 2007, sections 46-1217, 71-101, 71-102,
10 71-1,104.01, and 71-1,339, Revised Statutes Cumulative Supplement,
11 2006, as amended by sections 209, 296, 297, 333, and 362,
12 respectively, Legislative Bill 296, One Hundredth Legislature,
13 First Session, 2007, and section 6, Legislative Bill 296, One
14 Hundredth Legislature, First Session, 2007".

15 9. On page 8, line 19; page 206, line 16; and page 1052,
16 line 2, strike "1177" and insert "1178".

17 10. On page 9, line 16, after the semicolon insert "to
18 provide and change penalties;"; in line 20 strike "46-1235.01,";
19 in line 21 strike "46-1237.01, 46-1237.02,"; in line 22 strike
20 "46-1240.05," and "71-104,"; in line 23 strike "71-139,"; in line
21 24 strike "71-141, 71-142,"; and in line 25 strike "71-151," and
22 "71-161.07, 71-161.12,".

23 11. On page 10, line 1, strike "71-161.17," and
24 "71-161.20, 71-165,"; in line 2 strike "71-172.02,"; in line 3
25 strike "71-188,"; in line 4 strike "71-193.22," and "71-1,107,";
26 in line 9 strike "71-1,132.53,"; in line 11 strike "71-1,154," and
27 "71-1,190.01,"; in line 13 strike "71-1,206.05,"; in line 14 strike

1 "71-1,288" and insert "71-1,228"; in line 15 strike "71-1,290,"; in
2 line 19 strike "71-1,341,"; in line 20 strike "71-354, 71-355,";
3 and in line 24 strike "71-3,173,".

4 12. On page 11, line 3, strike "71-1333.01,"; strike
5 line 4; in line 10 strike "71-5192," and "71-6053,"; in line 11
6 strike "71-6059," and "71-6068,"; in line 13 strike "and"; in
7 line 14 strike "71-1,132.05, 71-1,142," and "71-1,367,"; in line
8 16 strike "71-3,174,"; strike beginning with "71-1723" in line 16
9 through "71-17,129," in line 20; in line 20 strike "71-17,139,";
10 and in line 21 after "2006" insert ", section 71-1764, Reissue
11 Revised Statutes of Nebraska, as amended by section 26, Legislative
12 Bill 185, One Hundredth Legislature, First Session, 2007, sections
13 46-1235.01, 46-1237.01, 46-1237.02, 46-1240.05, 71-104, 71-139,
14 71-141, 71-142, 71-151, 71-161.07, 71-161.12, 71-161.17, 71-161.20,
15 71-165, 71-172.02, 71-188, 71-193.22, 71-1,107, 71-1,132.53,
16 71-1,154, 71-1,190.01, 71-1,206.05, 71-1,290, 71-1,341, 71-354,
17 71-3,173, 71-1333.01, 71-1710, 71-1745, 71-1774, 71-5192, 71-6053,
18 71-6059, and 71-6068, Reissue Revised Statutes of Nebraska, as
19 amended by sections 211, 212, 213, 214, 298, 301, 302, 303, 305,
20 313, 314, 318, 319, 320, 323, 325, 331, 334, 340, 355, 356, 357,
21 360, 363, 365, 367, 466, 484, 486, 487, 603, 647, 648, and 650,
22 respectively, Legislative Bill 296, One Hundredth Legislature,
23 First Session, 2007, sections 71-1723, 71-1726.02, 71-1737,
24 71-17,122, 71-17,123, 71-17,124, 71-17,129, and 71-17,139, Revised
25 Statutes Cumulative Supplement, 2006, as amended by sections 7,
26 13, 19, 31, 32, 33, 35, and 40, respectively, Legislative Bill
27 185, One Hundredth Legislature, First Session, 2007, and sections

1 71-1,132.05, 71-1,142, 71-1,367, and 71-3,174, Revised Statutes
2 Cumulative Supplement, 2006, as amended by sections 339, 344,
3 364, and 368, respectively, Legislative Bill 296, One Hundredth
4 Legislature, First Session, 2007".

5 13. On page 69, line 6, after "business" insert an
6 underscored comma.

7 14. On page 93, line 23, after "department" insert an
8 underscored comma.

9 15. On page 152, line 11, strike "78" and insert "75".

10 16. On page 211, line 6, after "for" insert "a".

11 17. On page 247, line 24, strike "the".

12 18. On page 252, line 1, strike "registered", show as
13 stricken, and insert "licensed".

14 19. On page 254, line 14, strike "to teach", show as
15 stricken, and insert "in teaching".

16 20. On page 257, line 5, strike "body artist" and insert
17 "practitioner of body art".

18 21. On page 328, line 2, strike "that" and show as
19 stricken; and in line 3 strike the period and insert an underscored
20 semicolon.

21 22. On page 334, line 3, strike "act" and insert
22 "Cosmetology, Electrology, Esthetics, Nail Technology, and Body
23 Art Practice Act".

24 23. On page 364, line 19, strike "464" and insert "465".

25 24. On page 382, line 14, after "patients" insert an
26 underscored comma.

27 25. On page 400, line 23, after "renewal" insert "of

1 licensure".

2 26. On page 420, line 8, after "licensure" insert an
3 underscored comma.

4 27. On page 499, line 25, strike "by" and insert "of".

5 28. On page 518, lines 1 and 2; and page 534, lines 10
6 and 11, strike "Immigration and Naturalization Service", show as
7 stricken, and insert "Citizenship and Immigration Services".

8 29. On page 526, line 10, strike "71-1,104,", show as
9 stricken, and insert "684 of this act,".

10 30. On page 817, line 21; and page 1028, line 6, strike
11 "director" and insert "Director of Public Health of the Division of
12 Public Health".

13 31. On page 834, line 22, strike "Psychology" and insert
14 "Mental Health".

15 32. On page 853, line 19, after "well" insert "drilling".

16 33. On page 905, strike line 20 and insert "if:".

17 34. On page 907, line 24, strike "Licensing Law", show as
18 stricken, and insert "Credentialing Act".

19 35. On page 937, line 19, strike "1214" and insert
20 "1215".

21 36. On page 956, line 16, strike "1229" and insert
22 "1230".

23 37. On page 960, line 11; page 962, line 22; page 963,
24 lines 4 and 10, strike "1239" and insert "1240".

25 38. On page 993, lines 16 and 17, strike "1253 and 1257"
26 and insert "1254 and 1258"; and in line 21 strike "1284" and insert
27 "1285".

1 39. On page 1036, line 24, after "are" insert
2 "provisional environmental health specialists or"; and in line 25
3 strike "or trainees" and show as stricken and strike "525 or 526"
4 and insert "526 or 527".

5 40. On page 1045, line 8, strike "1178" and insert
6 "1177"; and in line 21 strike "1317, and 1318" and insert "1315,
7 1318, and 1319".

8 41. On page 1046, line 7, strike "46-1235,"; in line 13
9 strike "71-161.03,"; in line 21 strike "71-193.18,"; and in line 25
10 strike "71-1,107.16,".

11 42. On page 1047, line 7, strike "71-1,135.02,"; in line
12 8 strike "71-1,136,"; in line 16 strike "71-1,147.45,"; and in line
13 21 strike "71-1,190,".

14 43. On page 1049, line 10, strike "71-1340, 71-1341,";
15 line 12 strike "71-1734,", "71-1748,", and "71-1752,"; and in line
16 13 strike "71-1756," and "71-1765,".

17 44. On page 1050, line 1, strike "71-6065,"; in line 9
18 strike "71-6728, 71-6732,"; in line 14 strike "46-1217,"; in line
19 15 strike "71-101, 71-102" and insert "69-2429"; in line 19 strike
20 "71-1,104.01,"; and in line 23 strike "71-1,339,".

21 45. On page 1051, line 12, strike "71-1707,"; in line
22 13 strike "71-1722, 71-1723.01, 71-1723.02,"; in line 14 strike
23 "71-1724, 71-1724.01, 71-1726.01,"; in line 15 strike "71-1729,
24 71-1730, 71-1731, 71-1735,"; in line 16 strike "71-1749," and
25 "71-1755, 71-1757,"; in line 17 strike "71-17,118, 71-17,119," and
26 "71-17,121, 71-17,128,"; in line 18 strike "71-17,134, 71-17,135,";
27 in line 19 strike "71-17,137, 71-17,138, 71-17,140,"; and in line

1 25 strike "81-3201" and insert "81-2121".

2 46. On page 1052, line 1, strike "and"; and in line

3 3 after the comma insert "sections 71-1734, 71-1748, 71-1752,

4 71-1756, and 71-1765, Reissue Revised Statutes of Nebraska,

5 as amended by sections 17, 20, 22, 24, and 27, respectively,

6 Legislative Bill 185, One Hundredth Legislature, First Session,

7 2007, sections 46-1235, 71-161.03, 71-193.18, 71-1,107.16,

8 71-1,135.02, 71-1,136, 71-1,147.45, 71-1340, 71-1341, and 71-6065,

9 Reissue Revised Statutes of Nebraska, as amended by sections 210,

10 311, 329, 338, 341, 342, 351, 467, 468, and 649, respectively,

11 Legislative Bill 296, One Hundredth Legislature, First Session,

12 2007, section 71-6728, Reissue Revised Statutes of Nebraska,

13 as amended by section 2, Legislative Bill 283, One Hundredth

14 Legislature, First Session, 2007, sections 71-1707, 71-1722,

15 71-1723.01, 71-1723.02, 71-1724, 71-1724.01, 71-1726.01, 71-1729,

16 71-1730, 71-1731, 71-1735, 71-1749, 71-1755, 71-1757, 71-17,118,

17 71-17,119, 71-17,121, 71-17,128, 71-17,134, 71-17,135, 71-17,137,

18 71-17,138, and 71-17,140, Revised Statutes Cumulative Supplement,

19 2006, as amended by sections 5, 6, 8, 9, 10, 11, 12, 14, 15,

20 16, 18, 21, 23, 25, 28, 29, 30, 34, 36, 37, 38, 39, and 41,

21 respectively, Legislative Bill 185, One Hundredth Legislature,

22 First Session, 2007, sections 46-1217, 71-101, 71-102, 71-1,104.01,

23 and 71-1,339, Revised Statutes Cumulative Supplement, 2006, as

24 amended by sections 209, 296, 297, 333, and 362, respectively,

25 Legislative Bill 296, One Hundredth Legislature, First Session,

26 2007, and section 6, Legislative Bill 296, One Hundredth

27 Legislature, First Session, 2007,".

1

47. Renumber the remaining sections accordingly.